

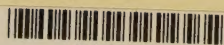
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THE
PARLIAMENTARY
DEBATES,

New Series,

VOL. XX.

THE
PARLIAMENTARY
DEBATES:

FORMING A CONTINUATION OF THE WORK ENTITLED
“ THE PARLIAMENTARY HISTORY OF ENGLAND,
FROM THE EARLIEST PERIOD TO THE YEAR 1803.”

PUBLISHED UNDER THE SUPERINTENDENCE OF
MR. HANSARD.

New Series;

COMMENCING WITH THE ACCESSION OF GEORGE IV.

VOL. XX.

COMPRISING THE PERIOD

FROM

THE SIXTH DAY OF FEBRUARY,

TO

THE THIRTIETH DAY OF MARCH, 1829.

L O N D O N :

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R. H. EVANS; J. BOOTH; AND T. C. HANSARD.

1829.

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NEW SERIES.

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HANSARD'S

Parliamentary Debates

During the THIRD SESSION of the EIGHTH PARLIAMENT of the United Kingdom of GREAT BRITAIN and IRELAND, appointed to meet at Westminster the 5th of February, 1829, in the Tenth Year of the Reign of His Majesty
GEORGE THE FOURTH.

HOUSE OF LORDS.

Thursday, February 5, 1829.

KING'S SPEECH ON OPENING THE SESSION.] The Session was this day opened by Commission. The Lords Commissioners were Lord Chancellor Lyndhurst, the Duke of Wellington, Earl Bathurst, the Earl of Shaftesbury, Lord Ellenborough. The Usher of the Black Rod having summoned the Commons, the Speaker, accompanied by a numerous train of Members, appeared at their Lordships' bar; when the Lord Chancellor proceeded to read His Majesty's Speech to both Houses, as follows:—

“ My Lords and Gentlemen,

“ His Majesty commands us to inform you, that he continues to receive from his Allies, and generally from all Princes and States, the assurance of their unabated desire to cultivate the most friendly relations with His Majesty.

“ Under the mediation of His Majesty, the preliminaries of a treaty of peace between his Imperial Majesty the Emperor of Brazil and the Republic of the united provinces of Rio de la Plata have been signed and ratified.

“ His Majesty has concluded a Convention with the King of Spain for the final settlement of the claims of British and

Spanish subjects, preferred under the Treaty signed at Madrid, on the 12th of March, 1823.

“ His Majesty has directed a copy of this Convention to be laid before you; and His Majesty relies upon your assistance to enable him to execute some of its provisions.

“ His Majesty laments that his diplomatic relations with Portugal are still necessarily suspended.

“ Deeply interested in the prosperity of the Portuguese Monarchy, His Majesty has entered into negotiations with the Head of the House of Braganza, in the hope of terminating a state of affairs which is incompatible with the permanent tranquillity and welfare of Portugal.

“ His Majesty commands us to assure you, that he has laboured unremittingly to fulfil the stipulations of the Treaty of the 6th of July, 1827, and to effect, in concert with His Allies, the pacification of Greece.

“ The Morea has been liberated from the presence of the Egyptian and Turkish forces.

“ This important object has been accomplished by the successful exertions of the naval forces of His Majesty and of His Allies, which led to a Convention with

the Pacha of Egypt; and, finally, by the skilful disposition and exemplary conduct of the French army, acting by the commands of his Most Christian Majesty, on the behalf of the Alliance.

"The troops of his Most Christian Majesty having completed the task assigned to them by the Allies, have commenced their return to France.

"It is with great satisfaction that His Majesty informs you that, during the whole of these operations, the most cordial union has subsisted between the forces of the three Powers by sea and land.

"His Majesty deplores the continuance of hostilities between the Emperor of Russia and the Ottoman Porte.

"His Imperial Majesty, in the prosecution of those hostilities, has considered it necessary to resume the exercise of his belligerent rights in the Mediterranean, and has established a blockade of the Dardanelles.

"From the operation of this blockade, those commercial enterprises of His Majesty's subjects have been exempted which were undertaken upon the faith of His Majesty's declaration to his Parliament, respecting the neutrality of the Mediterranean Sea.

"Although it has become indispensable for His Majesty and the King of France to suspend the co-operation of their forces with those of his Imperial Majesty, in consequence of this resumption of the exercise of his belligerent rights, the best understanding prevails between the three Powers in their endeavours to accomplish the remaining objects of the Treaty of London.

"Gentlemen of the House of Commons,

"We are commanded by His Majesty to acquaint you, that the Estimates for the current year will forthwith be laid before you. His Majesty relies on your readiness to grant the necessary Supplies, with a just regard to the exigencies of the public service, and to the economy which

His Majesty is anxious to enforce in every department of the state.

"His Majesty has the satisfaction to announce to you the continued improvement of the Revenue. The progressive increase in that branch of it, which is derived from articles of internal consumption, is peculiarly gratifying to His Majesty, as affording a decisive indication of the stability of the national resources, and of the increased comfort and prosperity of His people.

"My Lords, and Gentlemen,

"The state of Ireland has been the object of His Majesty's continued solicitude.

"His Majesty laments that in that part of the United Kingdom an Association should still exist which is dangerous to the public peace, and inconsistent with the spirit of the constitution; which keeps alive discord and ill-will amongst His Majesty's subjects; and which must, if permitted to continue, effectually obstruct every effort permanently to improve the condition of Ireland.

"His Majesty confidently relies on the wisdom and on the support of His Parliament; and His Majesty feels assured, that you will commit to him such powers as may enable His Majesty to maintain His just authority.

"His Majesty recommends that, when this essential object shall have been accomplished, you should take into your deliberate consideration the whole condition of Ireland; and that you should review the laws which impose civil disabilities on his Majesty's Roman Catholic subjects.

"You will consider whether the removal of those disabilities can be effected consistently with the full and permanent security of our establishments in Church and State, with the maintenance of the Reformed Religion established by law, and of the rights and privileges of the Bishops and of the Clergy of this realm,

and of the Churches committed to their charge.

"These are institutions which must ever be held sacred in this Protestant kingdom, and which it is the duty and the determination of His Majesty to preserve inviolate.

"His Majesty most earnestly recommends to you to enter upon the consideration of a subject of such paramount importance, deeply interesting to the best feelings of His people, and involving the tranquillity and concord of the United Kingdom, with the temper and the moderation which will best ensure the successful issue of your deliberations."

ADDRESS ON THE KING'S SPEECH.]

His Majesty's Speech having been again read by the Lord Chancellor, and also by the Clerk at the table,

The Marquis of *Salisbury* rose to move an humble Address to his Majesty, in answer to his most gracious Speech. The noble marquis spoke in so low a tone of voice, that the greater part of what fell from him was totally inaudible below the bar. He commenced by stating how fully sensible he was of the necessity there was for claiming their lordships' indulgence in offering himself to their notice on this occasion, and that this indulgence was rendered the more necessary as the Speech on which he was about to move an Address referred to such an extended variety of subjects. The embarrassment which he felt in addressing their lordships on this occasion was still further increased by the reference made, in the latter part of his Majesty's Speech, to a question involving such important considerations, and on which there was such a diversity of opinions, so many shades of difference, and even between persons who apparently agreed on the principles on which the question ought to be argued; that he feared that, even if he touched on it ever so lightly, he might provoke irritation, and give rise to angry discussions, which he was most anxious to prevent. He sincerely deprecated any premature discussion on this subject; for he conceived that nothing could tend more to excite angry passions, and to throw obstacles in the way of the final settlement of the great question, than angry discussions within the walls of parliament. In the obser-

vations which he should find it necessary to offer to their lordships, he assured them he would confine himself, as much as possible, to the immediate subject of discussion; namely, the Speech of his Majesty. In looking to our foreign relations it was true that his Majesty was not able, as on numerous former occasions, to congratulate their lordships on any signal success achieved by our arms; but he was enabled to do what was much better, and more advantageous to the real interests of the country—to congratulate his parliament on the continuance of peace, and on the cordial unanimity which existed between his Majesty and his allies. The fear entertained by many of their lordships, and amongst others, by himself, that the government would not be able to maintain the wise coalition which had been formed to preserve the peace of Europe, had happily proved unfounded; and the country not only continued to enjoy peace, but to enjoy it in a manner which afforded the best reasons for concluding that it was not likely to be disturbed. Whatever opinion noble lords might entertain as to the wisdom or policy of the treaty of the 6th of July 1827, it could not but be gratifying to their lordships to learn that the allied forces, without any further exertion of hostile power, had cleared the Morea of the Egyptian and Turkish forces. By the convention entered into between the allied powers and the pacha of Egypt, and by the services of the French forces acting on behalf of the allies, the pacification of Greece had been accomplished, the Turkish army had abandoned the Morea, and Greece was now free; and it remained for her to show herself worthy of the name she bore, and of the generous efforts that had been made in her behalf. His Majesty's Speech adverted to the continuance of hostilities between the emperor of Russia and the Ottoman Porte, in terms with which it was impossible that their lordships should not concur. His rights, as a belligerent, rendered it necessary for his imperial majesty, the emperor of Russia, to establish a blockade of the Dardanelles, which certainly produced effects on our commerce in the Mediterranean much to be regretted; but, with respect to the step taken by the emperor of Russia, allowance should be made for his rights as a belligerent; and his Majesty had been graciously pleased to communicate, that our government had taken those steps

which in duty it was bound to take to protect his Majesty's subjects who had engaged in commercial enterprises, on the faith of the previous declaration made to parliament, from the operation of the blockade, notwithstanding the continuance of hostilities between the Porte and the emperor of Russia.—In taking a view of our foreign relations the only subjects which did not offer matter for congratulation were the unfortunate hostilities between Russia and the Ottoman Porte, and the unsettled state of Portugal. In alluding to the latter country, he did not think it was necessary, or that it would become him, to speak in terms of reprobation of the person now at the head of the government of Portugal. The conduct of persons at the head of a government must be always governed by the particular circumstances of the country to be governed; and their lordships had only to hope, that the negotiations entered into between his Majesty and the head of the house of Braganza would lead to an adjustment of differences, and promote the permanent tranquillity and prosperity of a country with which England had been so long and so closely allied. In reverting to this topic, there was one subject which he thought might fairly be urged as matter of congratulation, which was, that we were bound by no treaty to interfere with the internal arrangements of Portugal. Without referring more in detail to our foreign relations he might conclude what he had to say on that subject by observing, that we were now at peace, and that there was every prospect of the continuance of that blessing, as his Majesty continued to receive from all foreign powers assurances of amity, and of their desire to cultivate the most friendly relations with him. Before he took leave of this branch of the subject, he had one other observation to make, which was, to congratulate their lordships and the country that the animosity which existed in former times between us and a powerful neighbour was now entirely at an end. We were now in the enjoyment of peace, which was unlikely to be disturbed; the commerce of the country was placed on a surer footing; and those branches of the revenue which best indicated the flourishing state of the country were on the increase.—From the pleasing prospect which England presented, both as respected her internal prosperity and her

foreign relations, he was compelled to turn to a part of the united empire which presented a darker and less agreeable prospect—he meant to Ireland. That unhappy country still continued in a state of irritation and disturbance, which presented a miserable contrast with the tranquillity and peace which pervaded every other part of the empire. An Association had been established there under the specious pretence of obtaining an extension of privileges for his Majesty's Roman Catholic subjects; but the course of proceedings which this self-elected body adopted was dangerous to liberty, and entirely inconsistent with the principles of the British constitution. This Association had not hesitated to levy taxes, and to exercise a kind of legislative control over the feelings and conduct of the people of Ireland; and it was the more to be reprobated, as it was assisted by the power of the Catholic priesthood, which was but too often applied to the support of the Association, in proceedings which did not promote the tranquillity of the country, but engendered religious animosity and excited the worst passions of the people. There could be no doubt that, since the existence of the Association, party feeling had risen to a greater height than it had ever before done in Ireland. The names of Catholic and Protestant had now become the watchword of party, and religion was made the pretence for measures which were anything but Christian. Such being the state of Ireland, he was warranted in saying that the occasion was extraordinary, and that it required extraordinary measures to meet it. Their lordships would remember, that some years ago an attempt had been made to put down the Catholic Association, but that attempt had not been successful; the measures then adopted proved insufficient, and their lordships were now called upon to grant extraordinary powers to his Majesty, to enable him to carry into effect the object he had in view, which was the complete suppression of that body, the existence of which had been so inimical to the prosperity and tranquillity of Ireland. He had no doubt that their lordships would give their ready concurrence to any measures introduced by his Majesty's ministers, for the effectuation of this most desirable object. After that Association shall have been put down, his Majesty recommended their lordships to take into their deliberate consideration the

whole condition of Ireland, particularly the laws which imposed civil disabilities on his Majesty's Roman Catholic subjects. He knew that, by the mention of this subject, a wide field for discussion was opened. He had already adverted to the difficulties surrounding the discussion of the question; and he repeated, that he confidently hoped their lordships would avoid entering on the discussion of the question, until some specific measure should have been introduced. In voting for the Address with which he should conclude, their lordships would merely express their intention to take the subject into their consideration. They would not pledge themselves to vote for any particular measure: and, in point of fact, the Address which he should move, would go no further than strictly to pledge their lordships to a consideration of the subject. For his own part, though anxious for the adjustment of the Catholic question, he had no hesitation in stating, that he would never consent to repeal the laws now in force, unless it could be done with full and ample security to the Established Church. He felt it the more necessary to make this declaration, as he felt strongly the necessity of removing the disabilities under which the Roman Catholics laboured; but he would never consent to any measure which granted power to the Catholics at the expense of the Protestant establishment. Unless such securities were introduced as he thought absolutely necessary to the safety of the Protestant establishment, he would never consent to Catholic emancipation. He had troubled their lordships with his own opinions on this subject, because he wished to be understood as reserving to himself the right of voting against any measure which might be introduced for the relaxation of the penal laws, if it was not accompanied with securities; and he wished to guard against its being imputed to him that, by moving an address pledging their lordships to take the subject into consideration, he in any degree pledged himself to support any specific measure. In his understanding of his Majesty's Speech, it by no means called upon their lordships to pledge themselves to adopt any particular measure;—and, for his own part, he repeated, that he would not be a party to any measure of emancipation, unless it was guarded by ample securities. All that their lordships were called upon for, then, was to pledge

themselves to take the question into consideration; and he hoped that those of their lordships who would refuse to pledge themselves to that extent were few in number. He begged to remind their lordships that the question of Catholic emancipation was now brought forward under circumstances very different from those under which it had previously been brought forward, when the person introducing the measure claimed for the Catholics as a right, what parliament would only concede to them as a favour, and what it could never concede unless some measure was, at the same time, introduced, which rendered the removal of those disabilities consistent with the Coronation Oath, and with the security of the Church Establishment. He was aware that he had offered no argument to their lordships to induce them to adopt an Address in accordance with this part of his Majesty's Speech.—He would not attempt to offer any argument, for he wished their lordships to adopt it solely on the ground, that it had been recommended from the Throne. He preferred this course, not only because he trusted that it would prevent a discussion by which a considerable deal of warmth and passion might be excited, but because he conceived it to be a mark of respect due to the sovereign, and that their lordships would best show a proper confidence in, and attachment to, the monarch by pledging themselves to take the subject into consideration, without urging any argument in support of that step, other than that it was in accordance with the desire of his Majesty. He could not sit down without again expressing his opinion that a discussion of the question before any specific measure was before the House would only tend to excite angry feeling and to produce bad effects. In the observations he had made, he was well aware he had done little justice to the points he had touched upon; but he hoped he had succeeded in his earnest desire of giving expression to his sentiments, without saying any thing which could be construed into an intention of provoking irritable feeling or angry discussion. The noble marquis concluded by moving an Address, which, as usual, was an echo of his Majesty's Speech.—[See Commons, p. 53.]

The Earl of Wicklow said:—My lords, in rising to second the Address, which has just been moved by the noble marquis, I feel great satisfaction in considering that

much will not be expected nor desired from me to recommend it for your lordships' adoption. The various topics alluded to by his Majesty in his Speech, are of such a nature as to justify a more experienced individual than myself in dilating upon them ; but I feel that it would ill become me to trespass on your lordships' attention further than by merely alluding to a few of them. There is one, however, which I cannot pass by without remark, connected with our foreign relations. It is a subject of great satisfaction to know, that this country is at peace with the whole of Europe ; and that from the assurances which his Majesty continues to receive from his Allies, and generally from all Princes and States, we may confidently trust to a continuance of that blessing. My lords, under the mediation of his Majesty, the preliminaries of a peace has been concluded between the emperor of Brazil and the Republic of the United Provinces of Rio de la Plata ; and by that means a security has been afforded to our commerce with those countries. A convention has been entered into with the king of Spain, by which the long-founded claims of many of his Majesty's subjects will be examined and adjusted, and thus a species of complaint, which has occasioned some difference between the subjects of both countries will be removed. His Majesty laments that our diplomatic relations with Portugal are at present suspended ; but it is a satisfaction to know that his Majesty has entered into negotiations with the Head of the House of Braganza, and that there is a hope of terminating a state of affairs incompatible with the permanent tranquillity and welfare of Portugal. There is no man, my lords, at least there is no British subject—who must not feel a strong interest in the welfare of that country which has been so long the close ally and friend of England. From the negotiations which have been entered upon with the head of the House of Braganza, it is evident that his Majesty's ministers have not been idle spectators of the disputes which exist in Portugal : they have used every means in their power ; not, indeed, by intimidation or armed interference, but by those methods which one nation may always properly exercise towards another ; namely, by friendly counsel and active negotiation to terminate the present unfortunate state of affairs in that country.—The stipulations of the treaty of the 6th

of July, 1827, his Majesty acquaints us he has laboured unremittingly to fulfil.—The hostilities between Turkey and Russia are, unfortunately, continued : but it is satisfactory to know, that the treaty has been so far carried into effect, that the Morea has been liberated from the presence of the Turkish and Egyptian forces. It is pleasing, my lords, to see how this has been accomplished. The forces of England, who have been opposed to those of other countries, were now united with these countries, heart and hand, in bringing freedom to a struggling people, and leaving them in such a condition as to enable them to lay the foundation of their own future glory. With respect to our internal affairs, we have arrived at a state of improvement ; and, notwithstanding the great taxation which has been removed within the last few years, with a view of relieving the people, this has been accomplished. I come now to that portion of his Majesty's Speech which relates to the affairs of Ireland. Standing here, my lords, as a representative of that country, and feeling, as I naturally do, a lively interest in her welfare ; I must say, it is with more than ordinary feelings, and with more than ordinary satisfaction, that I have heard the recommendation respecting Ireland. Hitherto, whenever the affairs of that unhappy country have been brought before parliament, it has been either to deplore the wretchedness that existed there, or by new acts of coercion, to attempt to put down the spirit of dissatisfaction ; but now a new, and a very different course is about to be pursued ; and at last her people may hope for that great conciliatory measure, which has been so long sought for, and petitioned for, but till now in vain. That measure so long desired by a large portion of the subjects of the United Empire—so often forcibly demanded—so eloquently pleaded for, by some of the noblest and greatest statesmen this country ever produced, is not only to be brought before your lordships, supported by his Majesty's ministers, but is to emanate from them, recommended by the sovereign, in a Speech from the Throne. It is true that another measure has been recommended, and of a different nature ; but surely every just thinking man in the kingdom, must long since have felt convinced, that the Catholic Association must be suppressed. Under its baneful influence, all the ties which bind society together have been severed, and

confusion and alarm, such as no man who has not lived in that country can possibly imagine, have been generated among the people. My lords, let us hope that this society, now it perceives what is recommended to be done, will perform one act of wisdom, and dissolve itself—and that all the other political societies founded with reference to the same cause, will follow its example; and then we may hope to see a measure which will meet with your lordships' approbation and the approbation of the whole united kingdom, brought before us—a measure which while it gives relief to our Roman Catholic fellow-subjects, will at the same time preserve and maintain the institutions of this Protestant empire—institutions which every man who loves his country and venerates its constitution, will lay down his life to maintain, and which his Majesty in his Speech from the Throne, has declared it his duty and his determination to preserve inviolate.

The Duke of *Newcastle* said, he was desirous of putting a question to the noble duke at the head of his Majesty's government, as to the intentions of ministers in relation to one topic alluded to in the Speech from the Throne. He begged leave to ask the noble duke, whether it was his intention to proceed, on the subject of Roman Catholic disabilities, by moving for the appointment of a committee to take those disabilities into consideration, or to bring the question under the consideration of their lordships by means of a bill?

The Duke of *Wellington* said, in answer to the noble duke's question, he had to inform their lordships that it was the intention of his Majesty's government, in accordance with the course indicated in the Speech from the Throne, to present to parliament, in the course of the present session, a measure for the adjustment of what was called the Roman Catholic Claims. This measure for the adjustment of those claims would be brought forward in a substantive shape by his Majesty's ministers without going through a committee. The measure which it was their intention to propose for the adoption of parliament, would extend to the removal generally of all civil disabilities under which the Roman Catholics laboured, with exceptions solely resting on special grounds; and it would be accompanied by other measures rendered necessary by the removal of those disabilities.

The Earl of *Winchilsea* said, that in the few observations which he considered it necessary to make, he trusted that he should keep within those bounds of deference and respect, which were always due from every member of their lordships' House, when discussing any communication made by his Majesty to parliament. He owned he had heard with much surprise, and he would add with sincere and heartfelt regret, that a question was to be raised by his Majesty's government, affecting the disabilities under which our Roman Catholic fellow-subjects laboured; and that for the removal of those disabilities, a measure was to be brought forward, not by those individuals who, in honour and consistency, and without a sacrifice of political character, could do so, seeing they had long advocated the removal of civil restrictions and disqualifications from every class of their fellow-subjects, but by men who had been invariably opposed to all relaxation and alteration in the existing laws. He owned he considered conduct like this as involving a gross violation of political rectitude and consistency. Perhaps he felt too strongly on this subject, and therefore he should endeavour not to give full vent to his feelings, lest language should fall from him unbecoming a member of their lordships' House. Thus far, however, he would venture to go; and he would say without fear of contradiction, that if the noble duke at the head of his Majesty's government had discovered that adequate securities could be offered by the Roman Catholics to a Protestant state, and that the Protestant Church Establishment could be satisfactorily guaranteed from danger or encroachment, in manly openness and candour, the noble duke ought to explain what those safeguards and securities were. This was the more necessary, in order to satisfy the Protestant portion of the country, which felt justly apprehensive on the subject, and thought that no sufficient securities could be devised. He only stated his own simple and individual opinion, which was, that if the constitution of the country was to remain as it long had been, essentially Protestant, no individual was fit to legislate for us, except an individual professing the religion so wisely and necessarily connected with the state. If, on the contrary, the constitution of the country was no longer to continue Protestant, then, indeed, Roman Catholics might be admitted to the enjoy-

ment of all the power and privileges of the state; but our revered and admirable constitution, which had been for so many years the national boast, the envy and admiration of the world, the ground-work of our liberties, and our exclusive glory, would be subverted. He maintained, that the Roman Catholic religion was, in character and principle, inconsistent with the existence of the free British constitution, and therefore that its professors should be excluded from privileges which they could not possess without contributing to impair them, and eventually effecting their destruction. When the contemplated measure should be brought forward, he hoped and trusted that the representatives of the truly Protestant and constitutional interests in parliament would narrowly watch every part of the bill, and fearlessly raise their voices in defence of the constitution.

The Earl of *Eldon* observed, that for the many years during which the question of Roman Catholic disabilities had been considered, it had always been discussed, as far as he was aware—and his experience extended to no inconsiderable period—with temper and moderation. In both Houses of parliament the subject had been frequently introduced of late years, and it had been in every instance dealt by with the utmost care and consideration. He was sorry, therefore, that it should have appeared necessary to his Majesty's advisers to represent to his Majesty the necessity of inculcating upon both Houses of parliament moderation and temperance in their discussion of this question. Of this he was persuaded; namely, that he should betray his duty to his sovereign, whom he revered—that he should betray his duty to every member of the community, knowing as he did the danger and hazard of the measure about to be proposed, were he not to raise his voice loudly and earnestly against it. He repeated, that he should betray his duty to his fellow-subjects, and to the principle of Protestantism as established at the period of the Revolution—that Revolution, which it now appeared had been founded and carried into effect by bigots in religion and politics—their lordships would permit him to say there might also be bigots in laxity and liberality—if he did not protest against the concessions which it seemed to be the intention of his Majesty's ministers to make. On this subject—the most important that had occupied the attention of the legislature,

since the Bill of Rights was first brought forward, and our present happy establishment constituted—he must be permitted to express his candid and unbiassed opinion. The institutions just alluded to were established as the foundation of our constitution, which also they had in no small degree contributed to preserve. The object held in view in their formation was the preservation of the laws, religion, and liberties of the country; and he was happy to say that that object they had hitherto fully accomplished. The question was, were those barriers now to be broken down? Let it not be supposed that this question would not always be discussed with temper and moderation. He trusted it always might be, as hitherto it invariably had been, so discussed. Indeed, the paramount importance of the subject, was such, as not to admit of any other mode of treatment; and he again said, he trusted it might always be considered in the proper tone and temper. But it might happen that men of sense and political integrity, after considering the question, would entertain not merely considerable doubt and hesitation, but a very decided opinion as to the inexpediency of entertaining it, in the way that it now appeared to be the intention of his Majesty's government to deal with it. He for one had thought it his duty long and carefully to consider this subject; and he now felt it to be equally his duty to express his decided and undisguised opinion upon it. On these grounds it was, that he now came forward, and he would speak boldly what he felt warmly and conscientiously. He had occupied a variety of situations, when, at different times, this subject had been discussed, and on every occasion he had expressed his honest and undeviating opinion as to the danger and impolicy of admitting Roman Catholics to state offices. He had always felt the vast responsibility he incurred in so doing; but he had never yet shrunk from the responsibility, and should not do so now. He was still able to offer their lordships his opinion, and in doing so he candidly declared, that if he saw any the slightest reason to modify the opinion he had so frequently expressed on the subject, he should do it without the slightest hesitation. He had no doubt, no hesitation, in regard to the question that had been that evening introduced to their lordships' notice. He would say, in his place in that House, and

he hoped the people of the country would by some means become acquainted with the declaration—if he had a voice that would sound to the remotest corner of the empire, he would re-echo the principle which he most firmly believed—that if ever a Roman Catholic was permitted to form part of the legislature of this country, or to hold any of the great executive offices of the government, from that moment the sun of Great Britain would set [a laugh]. His opinions might be received with laughter and contempt: opprobrium might be heaped upon their author, he nevertheless was prepared to contend, that they were correct, but trusted they would never be realised. A noble lord than whom no man had ever argued the Roman Catholic question with greater fairness or moderation, had said upon one occasion that “toleration was a word which he one day hoped to find forming no part of the English language.” He would say of his noble friend (lord Holland) that no individual could be found that had paid greater or more careful attention to the subject of Catholic disqualification. The noble lord had expressed the wish already alluded to, and had advocated his side of the question, on the ground that “religious opinions had nothing to do with politics” [“Hear,” from lord Holland]. Now, if that were true—if that principle were correct—the king had no right to be upon the throne of these realms. The fact was, that his Majesty sat upon that throne by virtue and in consequence of peculiar religious opinions. The present line had been called there expressly for the purpose of guarding the Protestant establishment of this country. His noble friend who moved the Address had talked of the right of the Roman Catholics to civil privileges. Who said that they had any such right? and on what grounds? Who besides his noble friend would assert the principle? Was it not competent to every state to declare who should and who should not hold political offices in that state? Doubtless it was; and on the plainest principles of national justice. Such was the right assumed by every country and at all periods, to hold one party eligible to—another incapable of—political power. No man had any abstract right to political office; his eligibility must depend upon the public voice, and embraced various questions of fitness, expediency, or other-

wise. He granted, and he did so readily, that no man ought to be incapacitated from serving the state, except on grounds of state policy—strong, cogent, and paramount reasons of state—unless, in fact, his enjoyment of office were considered as likely to prove injurious to the general interest. But this, he contended, was precisely the situation of the Roman Catholics; and he challenged his opponents to prove the converse of the proposition. Had he not felt this question to be a question of vital importance to the state generally—to his sovereign—to his fellow-subjects, and to religion too—which, God knew, in his opinion, had been too much neglected during the last session, and precisely by those persons who ought to have taken more care of it [hear]—if he had not felt this to be the case, he should not have taken the active part he had hitherto done, and was still prepared to do, with regard to this subject. As matters then stood, and influenced by his present feelings and conviction, no consideration on this side of the grave could induce him to give his consent to the introduction of a single Roman Catholic into either House of parliament, or to any political office whatsoever. But, said the noble lord, there was no danger to be apprehended from the course proposed by his Majesty's ministers. And how so? How remove the evils at present existing in Ireland? “Why,” said the noble seconder, “dissolve the Catholic Association.” But how would the noble lord do this? It appeared to him difficult enough to attempt it—in fact, almost a hopeless speculation: but he must confess he felt considerably relieved from the difficulty, when the noble lord intimated, in a speech which did him infinite credit that the Catholic Association would have the good sense to dissolve themselves. Now, he wished exceedingly to know from the noble lord (who doubtless possessed more information on the subject than himself) when it was that the members of the Roman Catholic Association had manifested any of that good sense, for which they had received credit at his lordship's hands, and which rendered it at all likely that they would consent quietly to dissolve themselves. What had this Association done? What were they doing daily? They were taxing the king's subjects, and assuming the powers of parliament; they governed the country more absolutely than the sovereign or the

laws; nay they governed the government itself. He was sorry to be obliged to make that statement to their lordships, but such was the fact. All this had the Catholic Association been doing for years back. It was not a thing of yesterday; and in the midst of the exercise of its powerful and multifarious functions, it had laughed to scorn all attempts to put it down. The legislature did attempt to put down the Catholic Association, and had failed. If instead of putting down the Association, the imperial legislature proceeded to strengthen its hands by granting the Catholics additional privileges, it would be neither more nor less than a surrender of the throne and the constitution into the hands of those persons. He could not conceive for the life of him, how it happened that for the last three or four years, we had tolerated the existence of an Association in the United kingdom, the members of which proclaimed aloud treason and sedition. Let noble lords look at the publication of their proceedings. Could it be supposed that it was in the power of the government to put an end to such an Association, by means of a mere bill, brought into one House and passed through the other? Why, those whose duty it might be to put such an enactment into execution, could not effect their object, except, indeed, as the noble lord had intimated, the Association should be pleased to dissolve itself, and so save the legislature the trouble and disgrace of an unavailing effort to accomplish that end. The power of the Catholic Association appeared to be growing more and more every day, and he thought it likely to go on increasing. He thought there was no circumstance which it was more important for their lordships to recollect than what passed in the years 1793, 1794, and 1795, when there was, as at the present day, a convention in a certain part of the British empire—a convention, too, in putting down which he had the honour to bear a share; and with respect to its destruction, he might perhaps say, without being open to a charge of egotism, "*Quorum pars magna fui.*" That convention meant to destroy the principles of the constitution; and he had no hesitation in declaring his fixed opinion, that the object of the Catholic Association was precisely the same. They sought to undermine the grand principle upon which his present Majesty was entitled to his

throne. How, he asked, came the House of Brunswick to be called to the British throne? Why, for the purpose of maintaining the constitution as established in church and state, at the time of the Revolution? For the purpose of accomplishing this object the descent of the House of Stuart was interrupted. This was done, as their lordships were aware, in order that no Catholic should be seated on the throne of these realms. Roman Catholics were excluded from the Commons House of parliament, by the Oath of Supremacy; subsequently, persons of that persuasion were excluded from seats in their lordships' House; and by these acts the constitution was sealed. The union between church and state was thus preserved: it was, according to the constitution of this country, a union intimate and indissoluble, as that between man and wife. It followed, from the nature of the British constitution as established at the period referred to, that King, Lords, and Commons should be Protestant. Was it now intended to abandon this principle? If so, we gave up the constitution itself.—He must again allude to the recommendation in the Speech from the Throne, that parliament should take the subject into consideration with temper and moderation. His Majesty had condescended to communicate a recommendation to the House on that subject, and unquestionably it was fitting that the recommendation should be received with the respect which it deserved. He must say, however, that in his opinion, the question had always been considered with moderation and temper; but it was no part of temper and moderation to put an end to the constitution. He was an humble individual, and his opinion might go for very little; but he must say, he considered the proposition to remove Catholic disqualifications one which, without being guilty of the grossest inconsistency, their lordships could not agree to. He protested, again and again, against the violation of the constitution implied in the proposed measure. Eventually, he trusted, the attempt would not succeed. Meanwhile, however, the Protestants of the United Kingdom must naturally feel alarm for their religious privileges, and the civil freedom which they had so long enjoyed undisturbed. Protestants might be alarmed without cause, and in the minds of Catholics hopes would be generated which it might event-

ually be found impossible to fulfil. He did not wish to raise the question: he deprecated the violation of the constitution if it were carried; he would spare the apprehensions of the Protestant part of the community, and avoid exciting fallacious expectations among the Roman Catholics. His resistance was not grounded on hostility to the Catholics; it arose from a desire to preserve the constitution whole and unimpaired. Do not deny these individuals the benefits of the constitution as far as they can enjoy them with safety to others; but for God's sake do not destroy the constitution itself, while admitting them. He stood before his country, and he solemnly declared that he was acting from a solemn sense of duty, and of duty only, when he opposed the intended measure. The considerations that actuated him were not those arising out of a love of party—they sprang from his desire to protect the establishment in Church and State. In the outset of his public life he had determined to act upon these principles, and he should not now depart from them. The man who would introduce a single Catholic into the House of Lords or Commons, he looked on as one ready, unknowingly perhaps—but still ready—to undermine it. Such were his opinions. His country might send him to his grave covered with all the obloquy that could blast the reputation of a public man; but to this declaration he would adhere. He offered himself to the whole load of odium that might attach to the maintenance of opinions which he found it impossible to abandon; and he did so, because he thought he should be guilty of a gross and flagrant violation of his duty to his king, whom he had endeavoured to serve with fidelity—of a gross violation of the duty he owed to his country and its constitution—of a gross violation of his duty to his Protestant fellow-subjects—he might almost add, of a gross dereliction of his duty to his Catholic fellow-subjects themselves (for they also were interested in the maintenance of a free constitution), if he afforded his countenance and support to such a measure. He was satisfied, that in a country which, for a century and a half, had enjoyed an established religion that more than any thing else had contributed to its glory and freedom, it was necessary to support the religious establishment, if we intended to maintain our rank among the nations of

the earth. It was for their lordships to consider how they could best support the existing establishments in Church and State. They who held opinions different from those which he entertained said, that the concession of the Catholic claims would not injure the constitution. Often, as an individual member of parliament in the discharge of his duty to his king and country, had he opposed these claims. He had done the same in reference to the oaths he had taken as a member of their lordships' body, and those which he had also taken as lord Chancellor; because he conscientiously thought that he could not, consistently with the due observance of these oaths, afford his countenance to the measure. He had acted thus under his impression of what he conceived it right and fit to do, and he did not now hesitate to say boldly, that he should be found at his post to resist the measure to the last. He owed too large a debt of gratitude to a departed sovereign, and too much to one who now existed—too much to the memory of the one, and to the kindness and condescension of the other—not to take care to do nothing which might be disagreeable to the sovereign on the Throne; but he acted as he then did, in the full conviction that by so doing he best discharged his duty to the king and to his people, whose happiness he had at heart. When he heard the Catholic leaders talk of universal suffrage—when he saw the Association acting the part of government, and screwing from the pockets of the wretched inhabitants of Ireland their miserable pittances, as contributions to the Catholic rent—when he observed them obtaining the assistance of France and America—he could not but feel that such an Association ought to be put down. But this could only be done by making the leaders of the Association answerable to the common law for their acts. There was no use in dissolving the Association, except it were prevented from ever again rising into existence. The members of it had threatened to take the field, if the 40s. freeholds were put an end to. They told us that they would look to America, and set up their constitution for ours. While seeking admission to the constitution, they endeavoured to destroy it. In fact their object was far beyond emancipation. Parliament should see that there was a mighty difference between sharing the benefits of the constitution and allowing its destruction.

The noble earl proceeded to express his satisfaction at the allusion to the liberation of Greece contained in the royal Speech, and added a hope, that the contest with the Porte might soon be terminated. After again adverting to the Catholic question, and the introduction of Jesuits into Ireland, the noble and learned lord concluded by declaring it to be his intention to oppose to the utmost the removal of Roman Catholic disabilities.

Earl *Bathurst* said, that his object in rising was to call the attention of the House, not to the nature of the measure of relief proposed to be extended to the Roman Catholics further than as it had been stated in the Address proposed by the noble marquis, but to explain an observation or two which had been made by some noble lords near him. It appeared to him that his noble and learned friend was offended at finding that the question was recommended to be taken into consideration with temper and moderation, as if this recommendation was to apply to the opponents of the measure only, and not to those who were likely to support it. Such, however, was not the fact; temper and moderation were recommended equally to all, and without the exercise of both, it was impossible to expect any beneficial results from such a discussion. It was not intended to enter into the merits of the question on that occasion: that was not the time for it, nor could it by any indirect course of proceeding be introduced in detail on that day; but his noble friend, at the head of the government, had been called upon for an explanation, which he had given in the most succinct manner, avoiding every thing calculated to give rise to discussion; and that course he also was most anxious to adopt. But when his noble and learned friend had insinuated, that it was a great inconsistency for the same ministers to recommend from the Throne, for the consideration of parliament, a measure which, only a few months ago, they had themselves rejected as dangerous to the constitution, he was anxious to explain the very material difference between the manner in which the subject had been introduced last year, and that which now attended its recommendation. At the former time a measure of this kind had passed the other House, a conference with their lordships was subsequently solicited, at which a hope was expressed that their lordships would deem it expedient to

follow the example set them by the Commons. It was also a matter of notoriety, that last year when the motion passed the House of Commons, his Majesty's ministers had not engaged to bring it forward with the support of the government, and were certainly unprepared to advance it before their lordships. Was the question this year in the same situation in which it was when it was last brought forward? Was it not now placed in an entirely new position? It had, in the present instance, come recommended from the Throne, and the responsible ministers of the Crown were prepared, in due time, to submit such measures to parliament as appeared to them fit and expedient, in furtherance of their purpose. For himself he was always one of those who thought, if ever further concessions were granted to the Catholics, they should come recommended from the Throne; and he was of this opinion, not only on the principle, that every measure of grace and favour should have that source, but because he was also decidedly of opinion, that all great questions leading to great results, that all questions of the magnitude of the one now under discussion, could not be advantageously carried into effect, unless his Majesty's government proposed them and became responsible for them. Such was the manner in which, when this question was first brought under the consideration of parliament, it was the intention of Mr. Pitt to have introduced it. He proposed that it should come under their consideration as a recommendation from the Throne, and intended to take on himself the responsibility of the recommendation. Not succeeding in bringing the subject forward in the way he had contemplated, he retired from office.—He repeated that, in his opinion, this was the only way in which the question could be brought before their lordships; and the impossibility of so bringing it forward had always appeared to him to be the ground of a great objection to the principle on which the late lord Liverpool formed his administration. The principle on which that administration was formed rendered it impossible for any member of government, as a member of government, to propose any such measure. The administration was formed on the principle, that they were not to consider this question as a government question; each individual of the government was to take the

part which he might consider to be most proper, but that part was deemed to be only the part of the individual. That administration, however, did not, by adopting this course, escape responsibility altogether. They were, in fact, responsible for their neutrality; they were responsible, if he might use the phrase, for their irresponsibility. In consequence of the political death of lord Liverpool the administration of Mr. Canning succeeded.—That right hon. gentleman formed a government consisting of individuals, the greater portion of whom were favourable to the measure of emancipation, as that right hon. gentleman himself was well known to be. There were only two in that administration who were adverse to the Catholic claims; and of those two the noble and learned lord on the woolsack, being one, nevertheless never declared that he was adverse to concessions, if fit securities could be found. It was under these circumstances, connected with such an administration, that he had a right to entertain an independent opinion. Since, however, the period to which he had been referring the question had grown into such vast importance—it had become of so portentous a nature—that it was no longer fitting that the government should remain neutral. In fact, that neutrality, if persevered in, would aggravate instead of assuage all the evils which surrounded the present system, and instead of opposing, or creating further resistance to the measure, would, in all probability, only prevent its being accomplished by those who had the power of accommodating its scope and details to the mutual wishes and feelings of all reasonable parties.—Under these circumstances, he thought the government were right in recommending this question to the consideration of parliament, and in bringing forward such measures as were best calculated to carry into effect that salutary adjustment, which would alike benefit all classes of his Majesty's subjects. It was not for him to occupy one moment of their lordships' time in vindicating the course which had been pursued by his Majesty's advisers;—but, in allusion to what had fallen from his noble and learned friend, he must say, that he was not one of those who had declared a determination never to consent to any further concessions to the Roman Catholics. But, even if he had so expressed himself—nay, even if he had re-

peated, year after year, such a declaration—the moment it was shewn to him that his view was perverse or inexpedient, and that it was for the interest of the country to alter it, he had no hesitation in avowing that he should not feel himself bound by former votes, or deterred, from any fear of reproach for inconsistency, from doing that which, under a change of circumstances, he was persuaded ought to be done, and was indispensably required, for the good of the empire [hear, hear].

Lord Farnham said, that in the few observations he had to offer, he sought information more as to the intended mode of proceeding, than with any view of creating a discussion by anticipation.—There would be, no doubt, time enough allowed for discussing in all its bearings whatever proposition it was in the contemplation of government to make. He thought, however, it was of the highest importance, in limine, that no mistake should exist, as to the intentions of his Majesty's ministers upon this great and momentous subject. It was, indeed, one of that importance which, when known, must interest every individual in the community, from the Land's End to John O'Groat's house, and no doubt elicit a loud and universal expression of sentiment. The public voice upon this great question had hitherto been silent, deterred, he believed, solely by the implicit reliance which the people of England had placed in the constitutional firmness of the noble duke at the head of the government; and they had no reason, he hoped he might be permitted to say, to expect that that illustrious personage would have come forward with a measure of this vast importance, without any timely declaration of his altered sentiments. In the noble duke's last speech upon the same subject before their lordships, he had declared his unabated opposition to this measure; he had likewise, on a still later occasion, delivered an opinion which had gone forth, as of his writing, to the public, through the usual channels of communication (the letter to Dr. Curtis), wherein he had insisted, that this was not the proper season for discussing such a topic. The people, then, were not prepared, he repeated, for this sudden change of sentiment in the prime minister; a change, too, respecting which they had, up to the latest moment, been sedulously kept in the dark by the usual channels of public intelligence.

Surely the noble duke ought to act with candour and openness, and now say how far he meant to go. If he understood him right, in the few words he had that night delivered, every office in both Houses of parliament, and every office in the state, which there was no especial reason, should be withheld from them, were to be thrown open to the Catholics. There was, in fact, to be no intelligible exception—no reasonable limit to this plan of concession. It was of the utmost importance that the people of England should know the full extent of the proposed concessions. They were entitled to this information. He would not say the cloven foot was out; but, the moment the public were aware of what was going on, he was positive that, in the course of the next month, their voice would be heard in thunder, and in a manner that no minister would dare to disregard. There was one part of his Majesty's Speech in which he was glad to express his cordial concurrence. It was the passage which lamented, that an Association should still exist so dangerous to the public peace, and inconsistent with the spirit of the constitution. He agreed that the Catholic Association ought to be put down; it ought to have been suppressed years ago, and not merely looked at, as it were, by the flimsy act of 1825, when the common law ought to have been called into operation. Extraordinary powers, and the strong arm of force, ought to have been used with the common law, to abate the nuisance of the Catholic Association, instead of allowing such a body to laugh at the act which the legislature had so imperfectly contrived against them. He trusted that the measure now intended for the suppression of these demagogues would be an efficient one. But then they were told, that when the Association was suppressed, this recommendation to repeal the penal laws should be immediately acted upon. Was he to understand that the Association must be *ipso facto* put down, before the new measure was to be introduced? If that were so, then they would at all events have the suppression of a dangerous nuisance.—On the subject of securities he would say, that he had been thinking of the Catholic question ever since he had been able to think upon any subject, and he had never been able to see, nor had wiser men been able to see, any adequate securities which the Roman Catholics had to give. As to

paper securities, such as the Test and Corporation acts, let not the people of England again be insulted with them. What had they to expect from the oaths and promises of the Roman Catholics? If they conscientiously believed in their religion, it would be their duty to take every step to strip the right reverend bench of its temporalities—it would be, in fact, a saving of the souls of the latter. Were he himself a Catholic, he had no hesitation in avowing, that he would use political power to eject the right reverend bench from their seats in that House. He was convinced the Catholics would feel themselves bound to aim at the destruction of the Protestant Church. It would be credulity and delusion to suppose otherwise. He hoped that whatever bill or bills the government intended to introduce would be speedily placed before the public. He was sorry this was not done in the first instance, before ministers had advised his Majesty to send down the recommendation to parliament. The noble duke owed it to himself, to his king, and to his country, to explain the measures which he had so suddenly propounded, to enable the country at large, as soon as possible, to form their opinions upon so important an alteration of the constitution in Church and State. There was one remark which he would, in passing, make upon the new arrangement. Whatever was its character, to do good at all, it must be considered as a permanent measure. Let the people, then, on the earliest day, be made acquainted with the extent of the intended concession, and the amount of the securities upon which it was thought the constitution could safely rest, and on which the government were prepared to rely, for the permanent stability of the civil and religious liberties of this kingdom.

The Marquis of *Downshire* said, he was anxious to take the earliest opportunity of rising, not for the purpose of prolonging the debate, but merely to express his great satisfaction at the recommendation contained in his Majesty's Speech. He looked upon it as a most favourable omen for the general peace and tranquillity of the kingdom, and he derived the warmest gratification from the prompt and efficacious manner in which the government had taken up the subject. He now looked forward with certainty to the peace and improvement of Ireland. That there were still great difficulties in the way, he could

easily believe; but he was sure that in the progress of the measure, none of them would be found insuperable. He was quite satisfied that if the illustrious premier went straight forward and *bond-fide* to the work, he would find himself at the end of his salutary labour, in a condition to satisfy all parties, and give security to every class of his fellow-subjects. He was anxious thus publicly to declare his perfect conviction that the proposed measure was not only just and expedient, but also practicable, and certain of ultimate success. As to the Catholic Association, he did not mean to impute sinister views to any of its members, but he had no hesitation in calling upon them at the present moment to consider whether they would really discharge those duties to their country which they so loudly professed, by continuing to agitate party feelings after the recommendation in his Majesty's speech. He advised them, with the utmost sincerity, to dissolve their sittings, being convinced that this was the wisest course which, under present circumstances, they could take.

The Marquis of Anglesey said:—My lords, I only rise to detain you for a very short time, while I congratulate the parliament and the country upon the gracious recommendation which has been this day communicated in his Majesty's Speech, respecting that most important question, on the advance of which, in my humble opinion, mainly depends not only the tranquillity, but the safety, and prosperity of Ireland—I may, indeed, say, of the whole empire. By the recommendation which has been thus given, I am diverted from the purpose I had first intended, of calling your lordships' attention to a subject not only personal to myself, but also in some degree affecting the public—I allude to my administration of the affairs of Ireland during the last ten months, and to an explanation which I had intended to have given, of all the subjects connected with it, of my recent sudden recall, and of the charges which I have reason to believe were subsequently brought against me, of not having acted, in that high trust, in a manner consistent with my duty as the king's representative in Ireland. These, your lordships will admit to be grave charges; and I might well have expected, that when they were made, I should somehow or other have been placed in a situation of explaining and of defending my

actions. I have, however, been disappointed in this expectation; and, although I should have been obliged, with great reluctance, to have called your lordships' attention, as well as that of the public, to my private wrongs; yet I cannot think of doing it on the present occasion, when the public wrongs of so many millions of the king's subjects are brought forward, in the strong expectation of their receiving ultimate redress. I will not, then, at such a moment, trespass upon your lordships with any personal complaints, but merely impress upon your lordships' minds, that I court inquiry into every part of my administration of the government of Ireland—that all I ask is, the closest, the deepest investigation of it. I am perfectly ready and anxious to vindicate myself upon all and every part of my government in Ireland. All I ask is the fullest and most rigid examination of it. I will not, I repeat, my lords, intrude myself on the public attention upon personal points, when so important a matter as is now before us occupies your lordships' attention. But neither this nor any other consideration shall prevent me, at all times, from avowing my readiness to court the fullest inquiry: the deeper it shall be, the more gratifying will it be to me, feeling, as I do, a perfect conviction, that the more comprehensive the examination, the more certain shall I be of obtaining a verdict in my favour, from every honourable and independent man. I am again anxious to express my gratification at the intention of the government to make this most important question the subject of decisive recommendation from the throne. But I cannot refrain from expressing an ardent hope, that whatever is intended to be done may not be done ungraciously or niggardly, or with a cold and unwilling hand. Whatever may be the measure of the government, I hope it will be one worthy of a wise and liberal legislature to offer, and befitting a high-minded, generous, long-suffering, and truly loyal people to accept. I wish to say one word of the Catholic Association, although I feel it to be extremely tender ground for me to touch upon, for I am not quite sure that some of your lordships do not think me a member of that body, or, at least, as a person having some delegated power or authority from them [a laugh]. I must, nevertheless, assure your lordships gravely, that I am neither a member nor a delegate

from the Catholic Association; but when I recollect, that from this very spot I got, some time ago, into no small difficulty, by making use of a military phrase, I must be cautious how I expose myself to similar misconstruction. Still, as a military man, I would say, that there are different posts which have their relative risks and duties. The nearer a soldier is to the enemy, the less sensible he is of his danger. Now, I have lived for the last ten months under the nose of this Catholic Association, and I positively declare, I neither saw nor felt the proximity of this danger, which is so much talked of. I know, indeed, that a law was passed to suppress this body. Then, is it a legal association, or is it not? Why not decide that question? I have always said to his Majesty's ministers, point out to me that it is illegal, and that it is expedient to put it down, and I will do it without the least difficulty. That it is an unconstitutional association nobody doubts; but I believe no lawyer will positively assert it to be illegal. How, then, you can put it down by the strong arm of the law, without invading the right of the subject to express his feelings when aggrieved, I am at a loss to conjecture. But this I have no hesitation in stating to your lordships, that if you will follow my advice, I will propose a measure at once which will for ever extinguish the Catholic Association.—Pass a bill for putting the Roman Catholics upon a footing of political equality with their Protestant brethren, and I will answer for it you will never hear again of the Catholic Association [hear, hear].

Lord *Goderich* said, he was well aware that the paramount importance of the principal topic which had been so wisely introduced into his Majesty's Speech necessarily occupied their exclusive allusion, and rendered the present moment unfavourable to the consideration of other topics, which were nevertheless of urgency in the contemplation of the foreign relations of this country. He confessed he was somewhat disappointed at finding that his Majesty's Speech conveyed so little information on one of those points, which policy, interest, and the faith of treaties, combined to render interesting—he meant Portugal. All he learned was, that the diplomatic intercourse between the two courts was still suspended, and that government was endeavouring to settle the existing differences, by negotiation with

the emperor of the Brazils. But nothing was said of the nature of these negotiations, or of the mode in which they were proceeding, or of the expectation of the result. He had no hesitation in saying, that if there was any spot in Europe, or in the world, which more than another had strong ties upon the friendship of Great Britain, it was the little kingdom of Portugal, which was now in a situation of so much peril and distraction. He therefore earnestly hoped that parliament would speedily receive such information upon that subject, as would show that the respect for ancient alliances had not been compromised, and that no diminution had taken place in the value of dear and long-cherished connections. With respect to the relations of the country in the east of Europe, all he had to say was, that he thought his noble and learned friend, who had threatened them with a serious animadversion upon the treaty of the 6th of July, 1827, and upon the battle of Navarino, was a little too late in coming forward with his attack. It would have been natural enough for the noble and learned lord to have called in question the policy of that treaty last year; but now, when one part of it had been fully carried into execution, and when the war which had raged with such atrocity between the Greeks and the Turks had been terminated by its operation, it was rather too late for the noble and learned lord to come forward and attack it, as a violation of the law of nations. He was then ready, as indeed he always had been, to defend the treaty of the 6th of July, upon those great and leading principles of policy to which reference must always be had, when the country was placed, as it was then, in circumstances of no small difficulty. Having stated these desultory considerations to their lordships, more with a view of guarding himself from attack hereafter for not adverting to them now, than from any conviction of its being necessary to advert to them at all, he would proceed to say one or two words on a more important, because a more domestic, subject, which touched most nearly the feelings and prejudices of all classes of his Majesty's subjects. He agreed with the noble lord, that the present was not a fit opportunity for entering into a discussion of the principles on which Catholic emancipation ought to be granted; but he felt himself bound, as a sincere friend to that question, to ex-

press his entire concurrence with what had fallen from his noble friend, the president of the council, as to the principle on which any measure for effecting it ought to be brought forward. It had been his fortune to be a member of various administrations, in which it was agreed to act independently of each other on this great question. This was a positive evil in itself, and as such he had always felt it. He had never concealed either from himself or from others, that such was his feeling. On the contrary, he had avowed it publicly more than once in his place in parliament. Nevertheless, he had always thought, and still continued to think, that the circumstances which existed at the time when lord Liverpool formed his cabinet, not only justified the members of it in acting independently of each other on that question, but absolutely rendered it impossible to form an administration upon any other principle. He felt it to be a sacrifice so to act; but larger interests were at stake, and a combined sense of duty and necessity reconciled his conscience to the sacrifice which was then demanded of him. He had great pleasure in hearing that that difference of opinion on this subject, which had weakened and paralyzed so many former administrations, ceased to exist in the present administration. He concurred specially in the recommendation given in the king's Speech, as to the tone and temper in which their lordships ought to consider this question. He also concurred with the noble lord who had recently addressed them, that there never had been any manifestation of violence, in the mode of considering it in that House. He would say for himself, that so deep was his conviction of the paramount importance of settling this question, that whatever might be his feelings on the recent events of the last two years—which had certainly not been such as to induce him to anticipate the blessed event, which he now saw upon the eve of completion—he should make it a point of duty to suppress them, although he could not pretend to extinguish them altogether. He had never been a party to the consideration of this question, except from a conviction of its absolute necessity; and he therefore had no difficulty in approaching it at present with the feelings recommended from the Throne; especially as he saw a consummation near at hand, which would do justice to complaining millions,

and would give permanent power and invincible strength to what he must now be permitted to call a disunited people. In saying this, he knew that he was speaking warmly—but he felt deeply, and a man's heart must warm at hearing such a speech as had been delivered by the noble lord opposite, under the conviction that the proposition to be offered to their consideration would, as to terms and to time and to other circumstances, be such as they could conscientiously assent to. With respect to the Catholic Association, he fully agreed with the noble marquis who had expressed his opinion of its conduct in terms equally terse and elegant. He would himself go further than the noble marquis: he would say, "When you grant a great boon to a complaining people, it is useless for you to put down by law those Associations, which will dissolve of themselves in the ordinary course of nature." He did not advise the Catholic Association to dissolve itself, and for this plain reason—that if the disabilities which effected the Catholic part of the community were removed, the nature of things would dissolve that Association. You take away the food on which it exists, you destroy the vitality of the atmosphere in which it breathes, when you say to it, "the two Houses of parliament are ready to consider your grievances and to remove them." You avert by one generous act a thunder-cloud which has long been lowering over your horizon and threatening to burst with ruin on your heads. He would not be over nice, either as to the Catholic Association, or as to the question of securities; for he was convinced that they would find the strongest security of all in doing justice. When justice was performed, six months would not elapse before they would all wonder how this question could have excited so much dissension in the country, and could have disunited and upset so many different cabinets. He sincerely trusted that the government would carry into effect the proposition which it had announced. He knew that they would be opposed in attempting it. They would have a great deal of hard fighting to encounter; but if they acted with resolution, there could be no doubt that they would be successful. It would be his duty to give them the best support in the power of so humble an individual as himself; and he should be amply repaid for that support by feeling that he had contributed to the accomplish-

ment of the greatest good which parliament had ever conferred upon the country.

The Earl of *Eldon* explained. He said, that if he had been tardy in bringing the treaty of the 6th of July before the notice of parliament, the fault was not with him, but with others. He had been prepared to discuss it in the last session; but he had been distinctly informed by the noble earl at the head of the Foreign Department, that he could not bring on such a discussion without detriment to the public service. With respect to the observations which had been made on the division which existed in lord Liverpool's cabinet, on the question of Catholic emancipation, and the unanimity which was said to prevail in the present cabinet on the same question, he would only say, that he had known lord Liverpool long, and was convinced that he would have thought death preferable to giving his assent to such a proposition as that which had been announced to their lordships.

The Duke of *Newcastle* said, that although the proposition to release the Catholics from their present disabilities emanated from the throne, it was not, on that account, to be acceded to without consideration by parliament. Such a proposition ought to be decided on its own merits, and its own merits alone; dangerous as it was in itself, it was rendered still more dangerous by being recommended by a Protestant king to a Protestant parliament. He trusted that neither their lordships nor the country would accede to such a proposition. He hoped that it would be rejected *in toto*, and *in limine*. He conceived that it was quite impossible to give privileges to the Catholics, and to provide securities for the established church. He lamented from the bottom of his heart, that the noble duke at the head of the government, on whom the Protestants had placed such implicit reliance, should have ceased to be their defender. If the noble duke persisted in pursuing the dangerous course on which he had entered, he would soon fall from his present high situation, and, what was more material, he would deserve his fall.

Lord *Redesdale* began by alluding to the doubts which had been expressed, and to the distinctions which had been drawn, as to societies, which were not illegal, although they might be unconstitutional. Now with respect to the Catholic Association, he was sure that it was unconstitu-

tional, and he was inclined to believe that it was not legal. He wished, therefore, to place this point before the consideration of their lordships. Was it fit that a law should be passed expressly on account of that Association, or that the common law should be made efficient, if it was not so already, not only in the case of that Association, but in the case of every other association formed upon similar principles? He was of opinion, that the noble duke at the head of the government might, with great propriety, propose a law which would give the common law power sufficient to repress that and all similar associations. He also wished their lordships to consider the different relation in which the Roman Catholics and the Dissenters stood towards the state. All Protestant sects dissenting from the established church were voluntary associations, actuated by English feelings and English sympathies; whilst the Roman Catholics were all members of a foreign body, and in constant correspondence with a foreign state. They did not form a distinct body as English Catholics, or as Irish Catholics; but they formed a component part of the great community of the Roman Catholic church. He wished their lordships to remember, that even when the Roman Catholic religion was the established religion of the country, the legislature had deemed it expedient to regulate by law the correspondence of the English Catholics, and especially of the English ecclesiastics, with the court of Rome. If, therefore, any law for the removal of Catholic disabilities should now be presented for the approbation of their lordships, it would be incumbent upon them to provide such regulations for their communication with the See of Rome, as would render it impossible to have a pernicious tendency. There was another consideration, and that too an important one, which he trusted their lordships would not lose sight of. What was the present condition of Spain and Portugal—two countries with which this country must always continue more or less connected? Was it not the power of those great establishments, which originally formed no part of the Catholic church,—he was speaking of the Monastic establishments,—was it not, he asked, the power of those great establishments, that had reduced both those countries to their present state of misery and degradation? Did the noble duke mean to authorize

the existence of similar establishments in the united kingdoms? Did the noble duke mean to tolerate the existence of the society of Jesuits on the British soil? Did the noble duke mean that in Ireland, where there was no statute of mortmain, large investments should be legalized for the foundation of monasteries; or did he mean that they should henceforth be prohibited? What he meant to say upon this part of the subject was, that if the noble duke should determine to prohibit such institutions entirely, he would not interfere with the Catholic religion; for he repeated, that they formed no part of the original Catholic church, that they were comparatively of modern invention, and that they had been found most mischievous and detrimental, in every region in which they had been permitted to take root. He ventured to suggest these points to the consideration of the noble duke, in the hope that the measure intended to be introduced would be such as to relieve the Protestants from many of their present apprehensions. The feeling of the country, whatever might be the feeling either of that or the other House of parliament, was a feeling of alarm; aye, and of great alarm. It was therefore the bounden duty of ministers to use every means in their power to allay or remove it; for if such means were not used, it might and would go to very serious lengths indeed. If the ministers were desirous to act a prudent part, they would bring forward at once, and without delay, every detail of their measure, which was calculated to secure the interests of the established church, and would tell the people at once, of the means which they had provided to guard their religion from encroachment and violation. Let the House recollect for a moment the language now used by the Roman Catholics of Ireland, and even by such of them as held a high station in their church. Nothing less than this:—that they were prepared to sweep heresy from the country, and to level the Protestant church with the dust. Was that language to be endured? Would they give power to those who used it? And if they did give power, what security would they offer that those who received it would not employ it in effecting their avowed objects? If any thing was to be done for the Catholics, it would be incumbent upon the government to put down that spirit in the Catholic religion

which was now dividing Ireland, had desolated Spain, and produced in Portugal the most serious inconveniences. The consideration of the various topics which he had suggested would be a task of no inconsiderable difficulty; but it ought, on that account, to occupy more closely the attention of ministers, if they wished to produce tranquillity and satisfaction. Tranquillity and satisfaction would not be produced, unless all parties were convinced that no unfair advantage was to be taken. In the last session of parliament, their lordships had thought fit to admit the Dissenters to certain privileges of which their ancestors had been deprived. He had given his negative to the measure introduced for their relief, under the impression, that it would encourage the Roman Catholics to hope for a similar relaxation of the laws affecting members of their religion. What had rendered him less averse than he had been originally to the repeal of the Test and Corporation acts was, that the Dissenters, though numerous, were divided into sects without end, each forming separate but voluntary associations. They differed from the church, it was true, on grounds of religious opinion, but they also differed equally widely from each other; and thus one congregation often became two, and was split into various parties of minor importance. What was the consequence? They were not a distinct body like the Roman Catholics—they were not combined together by any common feeling like the Roman Catholics—they were not under the subjection of their priesthood like the Roman Catholics—and above all, they were not connected with any foreign power like the Roman Catholics. In former days, when the Roman Catholic religion was the established religion of the country, parliament regulated the manner in which Roman Catholics should correspond, not only with the members of their church at home, but also with such members of it as were abroad at the headquarters of their church at Rome. The claim of the bishop of Rome was, to be considered universal bishop of the Christian church, entitled, with the assistance of a council of bishops, to regulate every thing relating to its concerns and interests. Now, if it was not deemed expedient to allow British subjects to correspond unreservedly with the See of Rome, at a period when the Roman Catholic was the esta-

blished religion of the country, surely it could not be expedient to allow them to carry on such correspondence without restriction, now that the constitution of the state as well as its religion were essentially Protestant. The matters which he had thus ventured to suggest to their lordships were all of first-rate importance; and he begged to claim for them the particular attention of the noble duke at the head of his Majesty's councils. In his humble judgment, they deserved mature consideration; for he was certain that neither tranquillity nor satisfaction would result from the proposed change in our laws, unless all classes of Protestants—and the Dissenters were now beginning to take as much interest in this question as the members of the establishment—were convinced, that the object of it was not to force upon them the Roman Catholic religion, as the religion of the state. The Irish agitators had openly declared that such was their object; and that declaration rendered it the bounden duty of their lordships, whether they did any thing in their favour or not, to guard most vigilantly against their encroachments.

The Duke of *Wellington* said, he was sure that their lordships would not expect that he should enter, upon the present occasion, into a detail of the particular provisions of the measure which would hereafter be brought under their consideration. His majesty had announced to them his desire that they should take into their deliberate consideration the disabilities affecting his Roman Catholic subjects, and had particularly pointed out to them the objects to which he wished them to direct their attention, and which he wished them, if possible, to make good. When he stated the general purport of the measure which the king's servants intended to propose hereafter to parliament, he had intimated to the House, that they were most desirous to provide for the particular circumstances stated in his Majesty's Speech; namely, for the safety of those institutions which must ever be held sacred in this Protestant kingdom, and which it was the duty and determination of his majesty to preserve inviolate. He hoped that the noble and learned lord on the cross bench would rely upon his Majesty's ministers for providing in the measure which they were about to introduce into parliament, against those particular circumstances to which he had adverted; and if that noble and

learned lord would assist them with his great learning, he had no doubt that they should derive great benefit from his valuable assistance. Having said thus much on this part of the subject, he must now advert to what had fallen from a noble baron on the cross-bench (*Farnham*), in which his noble friend had accused him of a want of faith, in bringing this question forward at present. But, he begged leave to remind their lordships that, on the several occasions on which he had previously addressed them on this particular subject, he had invariably stated, that he was most anxious for a settlement of it. He had considered always, had considered even last year, that a moment of tranquillity was necessary for such a settlement. And why did he consider it necessary? Because he wished to conciliate to the question those persons in the country whom he knew to be adverse to it, including those very persons from whom the noble baron said they were soon to have such manifold addresses. The measure, which he intended should precede those which he should afterwards propose, was calculated to produce that moment of tranquillity which was so necessary to conciliate the public to the measure which he intended to propose for the pacification of Ireland. His noble friend on the cross-bench had stated to the House, that the proposed measure was inconsistent with the constitution, as established at the Revolution; and another noble lord had concurred in that statement. If he had been going to propose a measure which would introduce a predominant Catholic power into parliament, he should then be doing that which was clearly inconsistent with the constitution. But he was not going to do any such thing. There were degrees of power, at least. Would any man venture to say, that Catholic power did not exist at present, either here or in Ireland? He would address himself more particularly to the noble lords who had so pointedly opposed him, and would ask them whether Roman Catholic power was not introduced into Ireland by measures of their own? Had not some noble lords exerted their influence to the utmost to produce that very power which had rendered a measure like that which he had announced to parliament absolutely necessary? As such was the case, he implored noble lords to look at the situation of the country, and the state of society which it had produced.

Whether it had been brought about by the existence of these disabilities, or by the Catholic Association, he would not pretend to say; but this he would say, that no man who looked at the state of things for the last two years, could proceed longer upon the old system, in the existing condition of Ireland, and of men's opinions on the subject, both in that country and in this. His opinion was, that it was the wish of the majority of the people, that this question should be settled some way or other. It was upon that principle, and in conformity with that wish, that he and his colleagues had undertaken to bring the adjustment of it under the consideration of parliament; and he hoped that their lordships would give them such time as would enable them to bring it forward in that complete manner, in which his majesty had declared his willingness to give it his royal assent. He hoped that they would not take it into consideration by piecemeal, but would wait with patience until it was placed as a whole deliberately before them.

The Marquis of *Lansdowne* said:—I do not mean to trespass on your lordships' time at any great length but I cannot permit the opportunity to pass without making a few observations on the matters which have been presented to our consideration, by his Majesty's Speech. The last topic in that Speech is unquestionably by far the most important and the most valuable portion of it, and it relates to a subject which has engaged the deepest attention of the whole nation for many months past: but, vast and paramount as is the importance of the subject of the state of Ireland, and the consideration of the measures which may be best calculated to introduce peace, prosperity, and contentment among the mass of the population of that country, we must not allow ourselves to be so far engrossed by this great object of domestic policy, as entirely to forget that there exists a continent of Europe. The topics to which the Speech directs our attention, with reference to our foreign policy, or some of them at least, are also of the utmost importance. These will afterwards be discussed at greater length; but even now they ought not to be dismissed without some observations. First, as to the war which now rages in the east of Europe between Russia and Turkey. I am truly sorry that the efforts of his Majesty's ministers to put an end to that

war have not been more successful. I am sorry that they have not better succeeded in averting the apprehension of those horrors with which such a war must be attended, if it should disturb the general peace of Europe. But I admit that I do not know any measures more calculated to avert such horrors, than the policy which was pursued last year, founded on the Treaty of July, 1827, and carrying into effect the determination to compel by force the cessation of hostilities in Greece. I regard that policy, and the efforts which have resulted from it, with the highest approbation. It is a line of policy which has given the fullest sanction to the Treaty, notwithstanding the allegations of some, that it would be interfering with the strongest principles of national policy to take possession of any portion of the dominions of our "most faithful, most ancient, and most enlightened ally," with a view to the pacification of Greece, and putting an end to the inhuman warfare which was waged in that country. It was an act of sound policy and plain justice to take possession of the Morea, although by some it was considered as a gross and abominable outrage; and I cannot help admiring the delicacy of my noble friend, the Secretary of State for Foreign Affairs, who sent one of those who had so decidedly disapproved of the interference of the three powers with the Grecian part of the Ottoman empire out of the way to another scene of diplomacy, that he might not be an eye witness of so unceremonious an outrage on our "most ancient, most faithful, and most enlightened ally," the sight of which could not to him be very agreeable. But the noble person to whom I am alluding (lord Strangford) has been spared, by the delicacy of my noble friend opposite, the painful task of aiding and abetting a proceeding which he must regard as a gross outrage, but one which I consider as doing the highest honour to the French government. The decisive step of the occupation of the Morea by the French, was, under the circumstances, a proof of the high honour and military energy, of that people, and, what was better, it was a proof of disinterested principle in the French government, and a measure which, executed as it was, justly entitled the nation to the respect and admiration of the civilised world.—Travelling farther westward I cannot help alluding to the policy

which has been pursued with respect to Portugal. I am most unwilling, at present, to enter upon the details of the measures which appear to have been adopted, with respect to that country; but I am anxious that the proper explanations should be given on that head, and that it should be made to appear, that the correspondence of the government of this country with the head of the House of Braganza has been carried on in the most amicable manner, and with the prospect of leading to the most beneficial results. It is my earnest desire that explanations may be given which will convince unprejudiced persons, that the government of this country cannot justly be charged with a want of hospitality or with unfeeling cruelty to those brave and excellent persons who have persevered, under every difficulty and discouragement, in performing their duty to their lawful though young and unfortunate sovereign. On that point I wish for a satisfactory explanation; and I am far from saying that a satisfactory explanation may not be given.—I now come to that most important topic touched upon at the close of his Majesty's Speech—the settlement of Ireland; a measure which was an absolutely indispensable preliminary to the good government, the happiness, and the prosperity of that country. When I see that a great good is in view, there is nobody that is less disposed to inquire critically and scrupulously into the motives of those by whom the measures for effectuating that great good are to be proposed. It is sufficient for me to see that there is a *bona fide* intention to adopt a course which must be attended with the most beneficial consequences. It is a high gratification to me that now, at last, after parliament has for so many years turned a deaf ear to the complaints of millions of his Majesty's subjects, the attention of the legislature is to be seriously called to this most essential topic of the settlement of Ireland—a topic so essential, that when once the minds of men shall be turned, in good earnest, to the investigation, it is impossible that it should terminate in any other than one way, and more particularly so when the consideration of the subject is brought before parliament by his Majesty's ministers. I have always said, that this was the most proper mode of bringing the measure forward, and it will be recollected that before I myself brought the

subject under your lordships' consideration, I always inquired, in the first place, whether it was the intention of his Majesty's ministers to submit any proposition to the legislature for that purpose. I do not go the length of the noble lord who said, that every act of grace and favour ought to emanate from the Crown; but I do say, that acts of favour do come with peculiar grace and propriety from the Crown. A noble and learned lord has said, that if the Catholics were to be admitted to the privileges of the constitution as fully and freely as the Protestants, then the king, as a Protestant, would have no security for his Crown. But it is because none but a Protestant can hold the Crown, that I see nothing dangerous in the removal of Catholic disabilities; since a Protestant sovereign will have a selection of the great officers of State, and all the most influential servants of the Crown, so that the highest security will exist for the safety of the Protestant establishments of this country.—But it is said, that it is necessary, as a preliminary step to put down the Catholic Association. This is not the first time that such a declaration has been made, and even acted on by a minister of the Crown. I hold with my noble friend, who has recently returned from Ireland, the government of which he administered with so much honour to himself, and who has done so much for the establishment of tranquillity in that country—I hold with my noble friend, that there is one short way of suppressing the Association. I will go further and say, that if that body be put down, the act of Suppression will take place, not by the first of the proposed measures, but by the second. The same attempt, however, I repeat, has been made on former occasions, and made, as all will remember, ineffectually. And why did the measures resorted to on those occasions prove inefficacious? Was it on account of any want of sincerity, on account of any want of capacity or zeal in the late lord Liverpool? Was it on account of any want of legal acuteness in the noble lord who then sat on the woolsack? Was it on account of any deficiency in the then learned gentleman who filled the office of Attorney-general in Ireland, or of zeal in the then lord lieutenant? Certainly not. The bill for suppressing the Association was inefficacious, because it did not go to the root of the evil, which alone sustained

and nourished the Association. That society is connected radically, and by its branches, with the whole moral frame of Ireland; and it receives the sympathy and affection of the people, because they have no other way of making their wants and wishes be heard. What description of measure this is to be by which the Association is to be put down, whether it is a bill which will at once enable the government of Ireland to throw the members into prison; whether it is a bill which shall suspend the liberties of the subject generally, I do not profess to know. But I am satisfied that, unless emancipation be granted, the breaking up of the Association will be only a sweeping away of the cinders while the fire is left burning in the volcano within, to break out afterwards with greater danger; for how much more dangerous is the element of national discontent when kept concealed and smouldering, until at last it comes forth in an eruption, which any government would find it impossible perhaps to control. Let no man, however, suppose that I am of opinion that the Association is not a great evil. No one in his senses can deny, that a body self-constituted, unsettled in its course, irresponsible for its acts, liable to be carried away by every breath, exercising at the same time great moral influence over the population, acting on the public mind and acted on by it—no one in his senses can deny that such a body is a great evil. But is it not the only way of getting rid of that evil, to divert the popular feeling, which is its support, from that unconstitutional direction into constitutional channels; to throw it not into the Association, but into parliament its natural reservoir, and where alone the people should be taught to expect redress, when they stand in need of it? Such, your lordships may be assured, is the only cure for an evil, the existence of which is admitted by all. I most cordially concur with the noble lord who seconded the Address, with a warmth and justness of feeling which did him the highest honour, in hoping, that the effect of the known intention of government will be to dissolve the Association. Let your lordships recollect the circumstances which produced that Association; that it was produced by your lordships' repeated refusals to take the Catholic question into consideration; let your lordships bear in mind that, in 1812, when you refused to consider the question, there was no Asso-

ciation. In 1819, when a similar denial was given, there was no Association; and it was only after repeated refusals, and a belief that those refusals would be continued, that this violent—and if some of your lordships will so have it, unconstitutional, but after what has passed I cannot say wholly useless—Association, was called into existence. If the measure now intended had passed years ago, there would never have been an Association in existence. It was called into operation solely by repeated denials of justice. Those denials brought on a state of things in Ireland, the effects of which cannot be contemplated without serious apprehension. They caused those portentous contests between religion and property in Ireland, which all must deplore, as dangerous to the peace and prosperity of the country. It is only to be regretted that the settlement of this momentous question did not take place long before this time. What immense good would have been effected, if the advice of Mr. Pitt had been followed at the time of the Union—advice which did more honour to his memory as a statesman, than any other advice which he gave, or act which he did, during the long period of his administration. The time, however, is at length come, and I hail its arrival with sincere satisfaction, when this system is to be abolished. The measure now recommended is one of such paramount importance to the peace and security of Ireland, and to the best interests of the empire at large, that let it be introduced by whomsoever it may, it shall receive my most cordial support. The announcement coming from the Throne, and supported by the whole cabinet, makes me look on the intended measure as on the eve of accomplishment, for I feel confident that ministers would not advise it, unless it was their *bonâ fide* intention to give it their best support. It would not merely be folly but madness, and something worse than madness, to hold out hopes in such a manner to seven millions of people, which would not be realized. If after this gracious recommendation from the Throne, and this implied advice and support of the cabinet, any obstacles shall be allowed to frustrate the hopes so excited, the consequences of the disappointment could scarcely be foreseen or thought of without the most alarming apprehensions. But I cannot bring myself to believe that any serious obstacles will be allowed to stand

in the way of this most salutary measure; and I confidently hope, that the end of the session will not arrive, before the subject has been finally and happily decided.

The Earl of Aberdeen said, he rose merely to assure the noble marquis and their lordships, that he should be ready, on the proper occasion, to go with him into the fullest examination of all steps taken by government with respect to the subjects in question, particularly the affairs of Portugal; and he should be ready and willing to furnish such explanations as he had no doubt would not only justify them to the House, but call from the noble marquis an approbation as cordial as that which he had bestowed upon the other measures mentioned in the Address. He should be able to prove, that every step taken by this country, with respect to Portugal, had been dictated by prudence and justice.

The Address was then agreed to, *nem. diss.*

HOUSE OF COMMONS.

Thursday, February 5.

MINUTES.] The SPEAKER acquainted the House, that he had received from Lord Combermere a letter, dated Head Quarters, Simlah, 20th May, 1828, inclosing a letter from Major-general Sir A. Campbell, in return to the Thanks of the House of Commons, for his conduct during the late operations against the kingdom of Ava.—The SPEAKER acquainted the House, that he had issued warrants for New Writs, for Cumberland, in the room of J. C. Curwen, esq. deceased; and for Dartmouth, in the room of Sir J. H. Cooper, bart. deceased.—The SPEAKER acquainted the House, that certain Freeholders of the county of Clare, who had petitioned, on the 22nd of July last, against the election and return of D. O'Connell, esq., had neglected to enter into the necessary Recognizances.—Sir L. O'BRYAN presented a Petition from the said Freeholders, praying for leave to present a new Petition against the said Election and Return, and for leave to enter into the prescribed Recognizances. The Petition was brought up, and the further consideration thereon was adjourned to Monday.—Sir JAMES GRAHAM, Mr. G. BURRARD, Mr. SPENCER PERCEVAL, and Mr. W. EWART were sworn and took their Seats.—Mr. PLANTA moved New Writs for Plymouth, Bath, and Edinburghshire, in the room of Sir G. Cockburn, the Earl of Brecknock, and Sir G. Clark, Commissioners of the Admiralty; for Whitchurch, in the room of the hon. J. R. Townshend, Groom of the Bedchamber; for Carlisle City, in the room of Sir James Graham, who had accepted the Chiltern Hundreds; and for East Grinstead, in the room of the Hon. C. C. C. Jenkinson, now Earl of Liverpool.

ADDRESS ON THE KING'S SPEECH.]

The Speaker acquainted the House, that the House had been in the House of Peers, to hear the Speech of the Lords Commissioners, of which, to prevent mistakes, he had obtained a copy. After he had read it to the House,

Lord Clive rose, he said, to move an humble Address to his Majesty, in answer to his most gracious Speech, which they had just heard read. In doing so, he hoped it would not be considered disrespectful, either to the House or to the royal Speech, if he departed somewhat from the usual course followed by those who had preceded him in the situation which he then stood in, by not following in order the different topics made mention of in the Speech, but by proceeding at once to make a few observations on what appeared to him the most important of those topics; namely, that which introduced to the consideration of the House, a subject that had for some time agitated the mind of every man, from one extremity of the kingdom to another—the present state of Ireland. It would not be necessary for him, in making these observations, to enter at any length into a history of the causes of the present condition of that country; indeed, it would not be possible for him to do so within the period which he felt himself justified to detain the House, and, he would repeat, it was not necessary to the object which he had in view. The last six months afforded sufficient data to justify his cordial concurrence with the recommendations of his Majesty's Speech; and to that time he would confine his observations. Since parliament had been prorogued, it was a fact too well known, that Ireland had been in a state of daily increasing excitement and confusion, arising from one cause or other, between the two great parties that distracted that unhappy country. That excitement and confusion had now reached to such a height, that it would be impossible for any man to say when an explosion would take place, that would defy no ordinary power to suppress, if circumstances were allowed to remain in their present condition. That being the undeniable state of affairs in Ireland, it became a necessary duty of the House and the government, to consider the best course to pursue, with reference to the empire at large. He apprehended there was but one course to pursue: it was not proper, nay, it was not possible, that the state of Ireland should continue as it then was. With that view, he thought the course recommended in his Majesty's Speech, and which ministers had determined to adopt, the best to meet existing difficulties. He also thought that that course was the most

constitutional, and, what was more, the most straightforward, under the circumstances of the case, that ministers could advise their royal master to sanction, by announcing in his Speech to his parliament, the real state of the difficulties which the present state of Ireland presented; relying on their wisdom and support for the means of adjusting them. Under these circumstances, it appeared to him, when it was suggested to him to move the Address which he should presently submit to the House, that, considering the great anxiety which the subject had occasioned to him, though the part which he had hitherto taken in its discussion was unostentatious, that he should merely declare, that in concurring with the present views of ministers, he felt as strongly and as anxiously as any man could do, for the welfare and support of the Protestant church, from which he considered the happiness and liberty we enjoyed to have sprung. He thought it right, however unwillingly he might feel to take a part foreign from his usual habits, to declare, that he considered the course recommended to be in the spirit of the British constitution, and the one most likely to prove beneficial to the empire, under its present circumstances. He felt that Ireland should not—could not—remain in its present distracted state. He felt that it was hardly possible to expect a government in whom more confidence could be reposed. He felt that no fears need be entertained from the views which a subject like the state of Ireland presented to the illustrious duke at the head of the government, and to his right hon. friend, the ministerial leader of that House. There could be no doubt, from their character and avowed attachment to the Protestant constitution of their country, that no measure would emanate from them, at all likely to interfere with the hallowed rights of the constitution in church or state, or unaccompanied by full and sufficient securities. Under that conviction, he felt it would be unbecoming in him not to take his share of the responsibility of a measure, which circumstances called for, and which, he was convinced, would be beneficial to Ireland, and a source of general security to the empire.—He confessed he felt great satisfaction with that part of the King's Speech which alluded to the Catholic Association; for he considered that body to be the parent of the evils of Ireland, and felt convinced,

that until steps were taken to put an end to the violent proceedings by which that body had excited the Catholic, and, by its denunciation, the whole Protestant population of Ireland, there could be no hope of that calm and moderation, which must precede the prosperity of that country. He was happy, therefore, that ministers had determined upon suppressing that body, and of thereby preventing the serious issue which its proceedings were likely to have occasioned. He was happy that the injudicious advocates of the Catholic claims would be prevented by their agitations to augment the alarms which the more judicious had experienced during the last six months. He was glad of a measure likely to reconcile the interests and prejudices of all parties—those hitherto opposed to the Catholic claims, and those zealous to secure for the Catholics the full blessings of the British constitution. He trusted, therefore, that those gentlemen who generally advocated the Catholic claims would support the Address which he would have the honour that evening to propose; for, though the steps recommended by it did not go the full extent of their wishes, yet still it advanced their object. He hoped, also, to have the support of those gentlemen who had hitherto taken an opposite part; as he thought it a reasonable expectation that this subject could never be considered under a government better calculated to do what was expedient than the present. It was hardly possible that the Protestants could ever hope to see two persons in power more friendly to them than his right hon. friend and the noble duke at the head of the Treasury. The next point to be considered was, whether this was the proper time for the discussion of the question. In the first place, the state of Ireland was such as clearly rendered something necessary for its relief. It was impossible that that country could continue in the state in which it was at the present moment. The people of Great Britain were looking on with earnestness, expecting parliament to take such measures as they hoped would succeed in settling this question. This was a state of things which justified him in suggesting this as the most proper time for inquiry. If the House looked abroad, they would see still more reason to think that this was the time to enter upon the subject. The Speech from the Throne had informed

them, that the king "continues to receive from his Allies, and generally from all princes and states, the assurance of their unabated desire to continue the most friendly relations with his Majesty." No further back than during the last year, in how many beneficial arrangements for mankind had his Majesty participated! Under his mediation, a treaty of peace had been concluded between the emperor of Brazil and the republic of Rio de la Plata. His Majesty had also entered into negotiations with the head of the house of Braganza, with the view of settling the difficulties now existing in Portugal. The steps taken, in conjunction with his Allies, for the pacification of Greece, had been successful. His Majesty had also succeeded in concluding a Convention with Spain, for the settlement of British claims on that country. All showed, that the foreign relations of the country were on a pacific footing, and therefore most favourable to a conciliating adjustment of the state of things in Ireland. In expressing his hope that his Majesty's beneficent wishes for the tranquillity and prosperity of all his subjects might be crowned with success, he could not but refer to the feeling manner in which his Majesty suggested the propriety of a full and perfect inquiry into the whole condition of Ireland, with a view to remove the civil disabilities of his Roman Catholic subjects. While his Majesty informed them, that the state of Ireland had been the subject of his continued solicitude, and directed his commands, that that state should be the subject of their serious inquiry, he, at the same time, in the most delicate manner, urged upon the attention of parliament the peculiar situation which he stood in as guardian of the Protestant religion in these realms—of "institutions which must ever be held sacred in this Protestant kingdom, and which it is the duty and determination of his Majesty to preserve inviolate." He could not help referring to the eloquent terms in which his Majesty had expressed his wishes, with respect to the caution necessary to be observed in removing the civil disabilities of the Roman Catholics. "You will consider," said the royal Speech, "whether the removal of these disabilities can be effected, consistently with the full and permanent security of our establishment in Church and State, with the maintenance of the reformed religion established by law, and the rights

and privileges of the bishops and of the clergy of the realm, and of the churches committed to their charge." He trusted the House would bear in mind the sentiments embodied in the King's Speech, when approaching the discussion of the momentous question to which he had just directed their attention; particularly that part of it where his Majesty "most earnestly recommends to you to enter upon the discussion of a subject of such paramount importance, deeply interesting to the best feelings of his people, and involving the tranquillity and concord of the united kingdom, with the temper and the moderation which will best ensure the successful issue of your deliberations." There was but one other topic upon which he would comment, as he believed it was the only one on which a difference of opinion could exist; namely, the innate energies of the British constitution. He firmly believed that when the subjects required it, nothing was too difficult for the British constitution, and therefore, that there could be no fears that its energies could be spent, by measures like to that he had been advocating. Upon that point he could speak with some confidence. It was then somewhat more than sixteen years since he had addressed the House in a similar capacity to that which he then presented himself in; and he appealed to all around him whether the country ever had a more trying period. No person, however hostile to the then administration, could have anticipated the extraordinary events of the year 1813; and no person, however friendly to the government, could have anticipated the present state of Europe. The British army, under the illustrious individual who was beyond his panegyric, had marched from the frontiers of Portugal to the frontiers of France, when Buonaparte once more roused and animated the hopes of his admirers by the victories of Bautzen and Lutzen. Then it was feared by some, that the energies of the British nation were unequal to the renewed conflict. But, what was the fact? Let the victory of Vittoria answer the question,—a victory that awakened the spirits of the British people—gained under one who then gave peace to his country, and who, at the present moment, was engaged in the same noble achievement. He took the liberty of introducing that subject to the notice of the House, because it proved that the means of the

British empire were equal to all its legitimate efforts, and because it appeared to him a good omen that the same powerful mind that then conducted British energies to a glorious issue, was at present engaged in giving peace to the British empire. He would not trespass on the attention of the House any further than to express his best thanks for its attention to him, and to repeat his conviction, that never were circumstances more favourable to a final settlement of the affairs of Ireland than the present. He implored the favourable support of the House to the Address he was about to submit to it, and hoped, as all had the same object in view, that all would join him in saying, God prosper the efforts that are intended for its attainment ! The noble lord concluded with moving,

"That an humble Address be presented to his Majesty—to return his Majesty our humble thanks for the gracious Speech which his Majesty has directed to be delivered by the lords commissioners :

"To assure his Majesty, that we learn with the highest satisfaction, that his Majesty continues to receive from his Allies, and generally from all princes and states the assurance of their unabated desire to cultivate the most friendly relations with his Majesty :

"To congratulate his Majesty, that under his royal mediation the preliminaries of a treaty of peace between his imperial majesty the emperor of Brazil and the Republic of the united provinces of Rio de la Plata have been signed and ratified :

"To thank his Majesty for having directed to be laid before us a copy of a Convention which his Majesty has concluded with the king of Spain for the final settlement of the claims of British and Spanish subjects preferred under the treaty signed at Madrid on the 12th March 1823 ; and to assure his Majesty that he may rely upon our readiness to assist his Majesty in executing the provisions thereof :

"To assure his Majesty, that we participate in the regret felt by his Majesty that his diplomatic relations with Portugal are still necessarily suspended, and to thank his Majesty for the intimation that, deeply interested in the prosperity of the Portuguese monarchy, his Majesty has entered into negotiations with the head of the House of Braganza, in the hope of terminating a state of affairs which is incompatible with the permanent tranquillity and welfare of Portugal :

"To express to his Majesty our gratitude for the information that his Majesty has laboured unremittingly to fulfil the stipulations of the treaty of the 6th July 1827, and to effect in concert with his Allies, the pacification of Greece ; and that the Morea has been liberated from the presence of the Egyptian and Turkish forces :

"To express to his Majesty our satisfaction that this important object has been accomplished by the successful exertions of the naval forces of his Majesty and of his Allies, which led to a convention with the pacha of Egypt, and finally, by the skilful disposition and exemplary conduct of the French army, acting by the commands of his most Christian majesty on the behalf of the alliance :

"To thank his Majesty for having informed us that the troops of his most Christian majesty, having completed the task assigned to them by the Allies, have commenced their return to France ; and to assure his Majesty that we fully participate in the satisfaction expressed by his Majesty, that, during the whole of these operations, the most cordial union has subsisted between the forces of the three powers by sea and land :

"To express to his Majesty, our deep regret at the continuance of hostilities between the emperor of Russia and the Ottoman Porte :

"To thank his Majesty for acquainting us that his imperial majesty, in the prosecution of those hostilities, has considered it necessary to resume the exercise of his belligerent rights in the Mediterranean, and has established a blockade of the Dardanelles :—And to express our satisfaction at learning, that from the operation of this blockade those commercial enterprises of his Majesty's subjects have been exempted, which were undertaken upon the faith of his Majesty's declaration to his parliament respecting the neutrality of the Mediterranean sea :

"To assure his Majesty, that we have heard with high gratification, that although it has become indispensable for his Majesty and the king of France to suspend the co-operation of their forces with those of his imperial majesty, in consequence of this resumption of the exercise of his belligerent rights, the best understanding prevails between the three powers in their endeavours to accomplish the remaining objects of the treaty of London :

"To return our acknowledgments to his Majesty for having ordered the estimates for the current year to be laid before us; and to assure his Majesty that he may rely on our readiness to grant the necessary supplies, with a just regard to the exigencies of the public service, and to the economy which his Majesty is anxious to enforce in every department of the state:

"To express to his Majesty our satisfaction at the continued improvement of the revenue, and more particularly at the progressive increase in that branch of it which is derived from articles of internal consumption, affording a decisive indication of the stability of the national resources, and of the increased comfort and prosperity of his people:

"To assure his Majesty, that this House is deeply sensible of the paternal solicitude expressed by his Majesty on the subject of Ireland:

"That we participate in the concern expressed by his Majesty at the continued existence in that part of the United Kingdom of an Association which is dangerous to the public peace, and inconsistent with the spirit of the constitution, which keeps alive discord and ill-will amongst his Majesty's subjects, and which must, if permitted to continue, effectually obstruct every effort permanently to improve the condition of Ireland:

"To thank his Majesty for the confidence which he is pleased to express in the support of his parliament, and to assure his Majesty that we will, without delay, proceed to the consideration of such measures as may be necessary to enable his Majesty to maintain his just authority:

"To assure his Majesty, that we will give the most respectful attention to his Majesty's recommendation that, when this essential object shall have been accomplished, we should take into our deliberate consideration the whole condition of Ireland, and that we should review the laws which impose civil disabilities on his Majesty's Roman Catholic subjects:

"That we will consider whether the removal of those disabilities can be effected consistently with the full and permanent security of our establishments in Church and State, with the maintenance of the reformed religion established by law, and of the rights and privileges of the bishops, and of the clergy of this realm, and of the churches committed to their charge:

"That, feeling, with his Majesty, convinced that these are institutions which must ever be held sacred in this Protestant kingdom, we cordially thank his Majesty for the declaration, that he deems it to be his duty, and that it is his determination, to preserve them inviolate:—To assure his Majesty, that this House will, in obedience to his Majesty's gracious recommendation, enter upon the consideration of a subject of such paramount importance, deeply interesting to the best feelings of his people, and involving the tranquillity and concord of the United Kingdom, with the temper and the moderation which will best ensure the successful issue of our deliberations."

Lord Corry said, he rose to second the motion, which had been so ably brought forward by the noble lord; that it would be needless in him to trespass but for a very short time on the attention of the House. He would proceed at once to remark briefly upon the principal topics of the king's Speech. It was most gratifying to him to learn, that the foreign relations of the country were so pacific, and that, notwithstanding the apprehensions that were entertained last year of the effects of the hostilities between the emperor of Russia and the Ottoman Porte, peace was not, probably, distant, and that the pacific course pursued by his Majesty's ministers tended to uphold the dignity of the Crown and advance the prosperity of the empire. He trusted that, notwithstanding his Majesty had found it necessary to suspend his diplomatic relations with Portugal, the negotiations going on with the head of the House of Braganza would lead to the pacification of that country. It was also gratifying to find that the treaty of July, 1827, had been so successfully acted upon, that the Morea was freed from the presence of the Egyptian and Turkish forces; and it was a source of additional gratification to hear of the cordial union between the great powers employed in carrying the treaty into effect. The next topic of congratulation was the revenue. It must be gratifying to the House to hear, that notwithstanding the gloomy apprehensions entertained last year of the resources of the country, the revenue has progressively improved, particularly in that branch of it derived from internal consumption—the strongest proof of the stability of those re-

sources, and of the improving condition of all classes of his Majesty's subjects. That circumstance, conjoined with the prudential economy practised by ministers, in reducing the expenditure of the state within wholesome limits, was a source of great gratification. The last topic he would allude to was the part of the Speech which referred to Ireland. He was aware that that was not the proper opportunity for discussing the causes of the evils of that country; and he would only observe, that they could no longer be allowed to remain as they were, and that it was a great satisfaction to him to hear that it was intended to arm ministers with power to put down the Catholic Association. As long as that seditious body existed, so long would anarchy and confusion be paramount in Ireland. It was a body that, arrogating to itself the form, and even the powers of parliament, served to inflame the worst passions of the people, and to retard, if not destroy, the prosperity of that country. The evil consequences of that Association had reached to such a height, that it could no longer be tolerated; and either the laws must be obeyed, or disunion and anarchy be triumphant. As he considered that Association to be the parent evil of Ireland, he trusted the House would determinedly apply itself to the rooting out of the evil. But a far more important part of the Speech yet remained to be noticed. He alluded to his Majesty's recommendation to consider the laws imposing civil disabilities on his Roman Catholic subjects, with a view to their removal. His opinion as to the policy of removing those disabilities was registered by the votes he had given. He had always opposed the Catholic claims, because they never came before him with sufficient securities for the integrity of the Protestant constitution of this country, and he would to-morrow oppose any measure with a similar objection, no matter from what quarter it emanated. But, though that was his early and matured opinion, when he considered the state of Ireland, placed on the brink of a civil war, when men of every party felt alarmed and doubtful of their course, and when he considered that such men as the illustrious duke at the head of the government, and the right hon. the Secretary of State for the Home Department, whom all looked up to as the tried champions of the Protestant cause, and in whose integrity all placed implicit

confidence, declared that concession was essential to the safety and well-being of the Protestant church itself, and that some attempt therefore at concession must be made, he would confess that he did not feel inclined to put himself in opposition to their declaration; and he, therefore, consented, cheerfully and willingly, to go into the investigation of the subject, to see whether something could not be done to satisfy the views and feelings of both parties. But, in admitting this principle, he begged to be distinctly understood as unwilling to go any further. He was by no means prepared to pledge himself to any measure that might be brought forward; though at the same time, as an Irishman, and as one, therefore, who felt deeply interested in the welfare and happiness of that country, he should rejoice at seeing such a measure brought forward as would prove satisfactory to his mind. But, while he said this, he reserved to himself the right of scrutinizing any measure that might be brought forward, and of opposing it, as he had done the former ones, if it did not appear to him to offer sufficient security for the preservation of the Protestant constitution of these realms.

Sir *Joseph Yorke* said, that since the olden times of Napoleon Bonaparte down to the modern times of Daniel O'Connell, never had he heard from the Throne a speech so politic or one embracing so much matter; or one that produced so many feelings of joy in his mind. What could be more delightful than to find that the government itself had taken up the important measure. Although he, for one, had been opposed to Catholic emancipation, yet he always thought that the Irish people should be placed on a footing, so as to form an integral part of the nation, and contribute to the solid strength of the empire; and to any measure, having in view such an object, he was ready to give his cordial assent. But the present Speech was so comprehensive in its nature—so comprising all sorts and sizes of men and things, whether they looked to the Austrians or the Russians, the Ottoman Porte, or Catholic Emancipation, that its effect could not be otherwise than extremely joyous. He was also delighted to hear that our finances were flourishing, and that economy was to be the order of the day. With respect to the great question of emancipation, he would pass it over for the present; especially after the way in which it

had been taken up by the noble lord who had seconded the address—a way which did infinite honour to him as an Irishman, as well as for the facility with which he had treated the subject. He had never heard a more moderate harangue or a better one. The manner in which that noble lord had performed his task was guarded and circumspect; for he did not say that he was prepared to go the whole length of what might be proposed, but reserved to himself the right to make such exceptions as he might think fit. Such was the case with himself; and he should wish to consider the whole proposal before he pledged himself to anything, though he was at the same time satisfied that when the ministry of the country thought it right to concede the point, he for one ought to give way. The Catholic Association itself, if it had any brains in its head, or any feeling in its heart, ought to see, that the best thing it could do, as soon as the present Speech should reach Ireland, would be to anticipate any measure of the parliament. The Catholic Association had now nothing to do but to shut up its doors; to put one of Bramah's best patent locks upon it, and to throw the key somewhere, where it should never be heard of again. Having said thus much, he would make way for greater orators than himself. He had stated firmly and distinctly what he meant; and would only add, that he was ready to go heart and hand with ministers, in any measure that they might bring forward for securing the tranquillity of Ireland.

Mr. *Bankes* rose to express his regret, that some explanation had not been afforded by his Majesty's ministers, as to the measure which they intended to bring under the consideration of the House. He wished to know what that measure was. He was anxious that ministers should state precisely the course which they called upon the House to adopt. He had heard the Address read. It was large and ample. It referred to many measures and many things. Was it, he would ask, again intended to take the whole question of the state of Ireland into consideration? Was the House anew to enter upon a question which had been so often before them; or was it now to be brought under their notice in the shape of a government measure? If so, he was desirous to know from his Majesty's ministers, candidly and honestly, what measure it was their inten-

tion to propose. The House had a right to know it; and the country, through them, had a right to know it. He should have thought, seeing his right hon. friends opposite still in their places, that certain rumours as to a change in their sentiments—rumours so public that they must be known to all, and so strong that they could scarcely be doubted—were, nevertheless, unworthy of credit. He trusted that their continuance in office was a safe pledge for the maintenance of our Protestant establishment. Indeed, he was unwilling to believe any rumours unfriendly to them. Still, he wished to ascertain from themselves their sentiments as to the measure which it was stated to be their intention to introduce to the House. He was anxious to know whether their opinions on the question had undergone a sudden change; and he would only take the fact from their own mouths. It was of the deepest interest to every man in that House and in the country, that their real intentions on the subject should be known. He did not blame those hon. members who had taken a different view of this question of Catholic emancipation from that which appeared to him to be the correct one: no doubt they had done so honestly and conscientiously. But he thought otherwise when he heard of a change of opinion, occurring in a short time, and without any change of circumstances [hear]. He would repeat—without any change of circumstances, by which it could be justified. With regard to the Catholic Association, had not the existence of that body been for a long time a crying grievance? Just four years ago parliament was called upon, almost in the same language which was now used, to put that Association down; and, during the last four years, their Statute-book contained an act passed for the purpose of putting it down. Was it not, then, the duty of government to enforce the law and put down the Association? But it might be replied that the act passed for that purpose had been found insufficient. If so, it was obviously the duty of government to call upon parliament to strengthen their hands, and enable them effectually to extinguish that violent and factious body. That would have been the direct, and honest, and honourable mode of doing the thing. But, after all, was this intended to be a sort of compromise? Was it to be said to the Irish agitators that if they would assist in

putting down the Catholic Association, their other desires should be met and admitted? If that was to be the compromise, he must say that it was a base mode of achieving that object. It was the duty of government long ago to put down the Catholic Association; but, the truth was, that it was now too late to do so—"treason had done its worst" [hear! and a laugh]—it had done its work, and it was through the spirit of intimidation that this door to emancipation had been opened. He begged, therefore, to know distinctly, before he was called upon to give his vote, what the measure really was, that he was expected to sanction. He was well aware, that, by agreeing to the Address, he should not be, in any degree, pledged to any measure hereafter. The Speech from the Throne did not call upon them to pledge themselves to any specific measure; and the noble seconder had said, that he should give his consideration to the measure whenever it should be introduced, and that he should consider himself perfectly at liberty to vote against it, if he should think proper so to do. This would be all very well, if it were a doubtful measure; but the fact was, that the subject had been before the House for the last twenty years! Ingenuity had been exhausted on the question, so that there did not seem to be any further room for consideration. They were perfectly aware of what the Roman Catholics demanded; but, on the other hand, he wished to ask broadly and distinctly whether it was intended, for the sake of conciliation, to give political power to the Catholics; and, above all, he wished to know whether it was intended to give them what was the real key to all political power—the right of holding seats in the two Houses of parliament? That was a plain and distinct question, which he wished to be as plainly and distinctly answered. With regard to himself, he might say, that his conduct would be directed by that answer. He would take upon himself boldly to state, that he was never in his life more firmly convinced of any thing, than that if seats in parliament should be conceded to the Roman Catholics, it would be the means of destroying that Church which they were all so much bound to revere; and that it would be impossible for the Protestant Church in Ireland to stand many years after such a concession [hear]. Again he said, he was desirous of knowing to what

they were called upon to pledge themselves, and his conduct should be then regulated accordingly.

Sir R. H. Inglis said, he was perfectly aware that the term "to consider" in common-sense English, meant "to take into consideration." He would appeal to the hon. baronet, the member for Westminster, if he happened to be present, or to any other hon. member who adopted his views of the Catholic question, whether in any discussion of it in that House, the term "consideration" did not in his mind, and in the mind of the House and the country mean "concession?" [hear, hear]. Would any man tell him that such was not the meaning of the phrase? and that concession meant nothing more nor less than the prostration of Protestantism at the feet of the Roman Catholics. Then he would say, that if such was the understanding of every one in that House, was he not entitled to ask—and he asked it not in the spirit of idle curiosity, but in the spirit of that constitutional jealousy which, as a member of that House, he was bound to exercise—was he not, he said, entitled to ask, what was meant by this measure? Under what circumstances was it that the measure was brought forward? His noble friend who moved the Address had confined himself entirely to the events of the six previous months, as a justification of the course which his Majesty's ministers had determined to pursue. According to the noble lord, the question was so simplified, that it was impossible for ministers to adopt any other view of it. Was it to be gathered from this, that the system of intimidation which had been carried on in Ireland had led to this result? He for one was not clear that much weight ought to be attached to the expression of popular opinion at public meetings, upon difficult and abstruse questions. When such questions as the Corn-laws and Parliamentary Reform, which, as they knew, involved a change in the existing state of the law, had formed the subjects of discussion, he, for one, had never considered a public meeting as the fairest and best mode of giving expression to the public voice. But it was a totally different opinion upon which the public voice had been expressed during the last six months in England, almost universally, and in Ireland also. The people of England prayed, not for any change in the constitution of these realms, but simply for its conservation.

They prayed, that the Protestant constitution which they inherited from their ancestors, and which he trusted they would defend with their lives, might be allowed to descend unimpaired to their posterity. That was their sole and simple prayer. It was his strong conviction, that the only sufficient security for that constitution consisted in the existing state of things. He was also convinced, that if any change was necessary in the existing state of things in Ireland, the course which the government ought to pursue was at once clear and obvious. It was a most serious charge against his Majesty's government, that they had allowed to continue undecided, until the prorogation of parliament, such a question as that arising out of the county Clare election. They should at once have decided that question, by a strong and summary measure, lest that election should have been carried into a precedent; as he was convinced it might have been most fatally, if the life of one human being had fallen in the interval which had elapsed since the termination of the last session of parliament. If the person, to whom the House must perceive he alluded, had died during that period, and if a new parliament had in consequence been called, the example afforded by the county of Clare might have been repeated in other parts of Ireland; and it was therefore obviously the duty of the government not to allow such an example to continue in existence. Was he now to be told that his Majesty's ministers had yielded to the intimidation of a body like the Clare people, consisting of some of the lowest orders in the south of Ireland, and of the lawyers in Dublin—to the intimidation of men who had approached as nearly as possible to rebellion? And whom had they intimidated? Six months ago, it would scarcely have been supposed that such a species of intimidation would have induced the noble duke at the head of affairs in this country, not only to abandon his opposition to Catholic emancipation, but even to become its advocate. Before the House proceeded to take the subject into consideration, they had a right to know what measure it was which his Majesty's ministers intended to propose, and to that question he for one expected a definite and specific answer.

Lord *Milton* said, it was with feelings of a totally opposite nature to those expressed by the hon. baronet, who had just

sat down, that he ventured to obtrude himself on the House. During the whole period, and that not a short one, that he had had the honour of a seat in that House, he had never come to a meeting of parliament with feelings of such satisfaction and consolation as on the present occasion. To think that, in one moment, he had seen an end put to that magic spell, which had so long alarmed many, and which seemed still to haunt the imaginations of the hon. baronet and the hon. member for Dorsetshire—to find that it had been all at once annihilated, was, indeed, to him a subject of the greatest satisfaction. When he said “annihilated,” he spoke with some degree of authority, and not merely upon the strength of public rumour. His noble friend who had moved the address must know as well as he knew, that he had been hitherto decidedly opposed in opinion to him (lord *Milton*) upon the question of Catholic emancipation. It was, therefore, most honourable to his noble friend, and to those acting with him on this occasion, that, taking a wise view of the necessities of the country, they were able to do that which if their great leader had left undone, he would not have, as he now had, attained to the highest pinnacle of honour. Then he would have only conquered the foreign foe; but now he had achieved a victory—not, certainly, so dazzling to the vulgar, but more useful and important to the country than the battle of Waterloo itself, inasmuch as the victories of peace were more useful and more glorious than the trophies of war. The noble duke, and his noble colleagues opposite, had obtained a victory over what he might be permitted to call their prejudices. He used not the word in an offensive sense. He spoke of prejudices—of honest, conscientious prejudices—which it was honourable for men to entertain; and he was rejoiced to see those which had been so long entertained by his noble and hon. friends opposite at length abandoned. He would not at present enter into a minute consideration of the phraseology employed in the royal Speech, or in the Address. He should advert, however, for a moment, to two measures which were recommended by his Majesty: the one, the putting down of the Catholic Association; the other, the carrying of what was commonly called Catholic Emancipation. He conceived that the first of these measures recommended from the

Throne was the condition upon which the noble lord who moved the Address, and his friends, had given their assent to the second, and that, unaccompanied by it, the measure of emancipation would still encounter their opposition. He, for one, did not see the necessity of passing a bill for the extinction of the Association; for the fact was, that the granting of emancipation would at once put down that body. The truth was, that the Association only existed because the Catholics remained unemancipated. Take away that grievance, and the Association would immediately fall to the ground. Indeed, if it appeared, as he did not doubt but it would, that the recommendation from the Throne was *bonâ fide* made in the spirit of fairness and conciliation, he was certain that the Catholic Association would not require to be put down. It would then be no longer in existence. He had thus taken the liberty of expressing the sentiments which he entertained on this occasion. He would only say, that whenever his Majesty's government brought forward a proposal to that House, to carry the great question of Catholic emancipation, they would meet with all the support, which he, in his individual capacity, could afford them. With regard to the measure for putting down the Association, he would not conceal the fact, that it was a measure of which he could not approve. But if it should be followed by emancipation, he would not oppose it; lest his opposition should be attributed to factious or party motives, or to a suspicion lurking in his mind, that the other measure intended to be introduced by government, and for which he gave them the greatest credit, would not be a fair and honest removal of all the disabilities affecting the Roman Catholics.

Mr. *Maurice Fitzgerald* said, he could not refrain as an Irishman, from expressing the feelings of delight and satisfaction which he entertained on this occasion. From the first moment, indeed, that the duke of Wellington had taken upon himself the high office which he at present filled, he considered him as the man of all others the best calculated to carry this great measure; and he was well convinced that the noble duke would not suffer a country in whose happiness and prosperity he was so much interested, to remain in the state of distraction and division which Ireland now exhibited. An

hon. baronet had attributed the measure which was about to emanate from the government to intimidation; but when he named the duke of Wellington as the individual intimidated, the hon. baronet had sufficiently answered himself. If that were not conclusive, he would say, taking into account the wisdom of the noble duke, and his knowledge of the country, that the recommendation from the Throne originated from a feeling the very opposite to intimidation. The duke of Wellington could not be intimidated; but, while he would never give way to such a feeling, it was not to be supposed that he was to be debarred from yielding to the united demands of the people of Ireland, if he imagined that the refusal of those demands would be fraught with danger to the empire at large. There had been violence exhibited in this country, too, but of a different character, and the agitators here had been of a different class from that of the agitators in Ireland. But if such feelings as had been exhibited in this country during the last six months had been suffered to continue in active operation, there was little doubt but they must, in the end, have produced nothing short of a civil war. He was convinced that if the duke of Wellington had not interposed, the faction in this country and their corresponding party in Ireland would have brought matters to such a pass, that it would have been absolutely necessary for the government to have interfered to prevent a civil war. He believed that the wise and well-founded alarm, arising from such a frightful state of things, had produced the present measure. The honourable baronet, who had recently addressed the House, had observed, that there were some questions of such an abstract nature, and so difficult of comprehension, that he never wished to see them submitted to the consideration of the great body of the people. For instance, the hon. baronet would not on any account appeal to their opinions on the subject, of whether they had or had not deputed any particular person to represent them in parliament, or whether they felt that they obtained sufficient food to satisfy the cravings of their appetites. Upon such a delicately abstruse question as whether a poor man could determine upon the fullness of his belly, the hon. baronet was unwilling to consent that there should be any appeal to the great body of the

people. Oh, no! upon such abstruse, difficult, and recondite subjects, the hon. baronet would more than distrust the decision of a popular assembly. But in such simple matters as polemics and school divinity, or such questions as whether the faith of the Catholics could be reconcileable with their allegiance to their sovereign—upon these simple and obvious, and plain matter-of-fact-questions, he would appeal to the opinion of the mob, and he would rely upon their decision. Accordingly, in those districts in which the hon. baronet, and those who thought with him, possessed influence, such mobs had been collected to discuss such questions. It was to prevent the lamentable effects that must inevitably have followed such factious and violent proceedings, that the government were compelled at length to interfere, to save the country from a civil war, and to render Ireland a source of security and strength to the empire. He felt that, as an Irishman, he should be disgraced if he abstained from bestowing his humble tribute of praise upon those ministers from whose recommendations such benefits must spring; for he was confident that every landed proprietor of that country who now heard him must unite in the feeling, that the course now about to be pursued would, by adding to the prosperity of England, give security to property in Ireland. Every intelligent mind in the country must, indeed, admit, that all landed property was from that moment incomparably raised in value. The measure afforded him still further satisfaction, as it presented an additional security for every one of the Protestant institutions in Ireland; and he believed that after the passing of such a measure, those institutions in that country could then, for the first time in his memory, be said to rest upon a solid foundation. It was upon these grounds that it would meet with his cordial and hearty concurrence. Under these circumstances, he considered that this notice of the Catholic Association had come rather late; for he thought the probability was, that upon any intention being manifested to grant the claims of the Roman Catholics, the Association would immediately give up its functions. Indeed, he considered that the very recommendation from the Throne was a virtual dissolution of it.

The Marquis of *Chandos* said, he should

betray the confidence reposed in him by his constituents, if he did not at once declare his determination to oppose, to the utmost of his power, all further concessions to the Roman Catholics. Notwithstanding the recommendation contained in the Speech from the Throne, and the respect he entertained for his Majesty's ministers, he felt himself bound to declare, that the opinions which he entertained on this question—opinions formed after the most mature consideration—remained unaltered; and that as long as he had a seat in that House, he was resolved to oppose with his vote and with his voice, any attempt to surrender the privileges of our Protestant constitution. It was exceedingly painful for him to differ in sentiments from his Majesty's ministers—from his noble friend in another place, and from his right hon. friend below him—but he could assure them, that the same conscientious feelings which had induced him to support their measures, under other circumstances, now impelled him, as an honest man, to oppose any proposition for granting political power to the Roman Catholics. He hoped, after what had taken place that night, that the people of this country would take the question into their immediate consideration, and that they would come forward and express their sentiments, from one end of the country to the other. If the establishments of our ancestors were to be trifled with, and a new constitution was to be now given to the country, he saw no reason why the example might not be more extensively acted upon, and why we might not hereafter, annually or triennially, review and reverse all the institutions of the state. He regretted to have been obliged to trouble the House with this short expression of his sentiments; but he felt it a paramount duty openly to express his opposition to the proposed measure.

Mr. *Brownlow* said, that, although, perhaps, he had on this occasion indulged in over-excited expectations, which extravagant rumours had forced upon his mind, in common with that of the public, with reference to this all-important subject, still he must declare, that he had heard with very great satisfaction the important communication which had been made from the Throne. Some of the passages in that Speech were well calculated to give the utmost pleasure to every true friend of Ireland,—to every man who respected the

conscientious feelings of his fellow-subjects,—to every man who conceived that his neighbour had a right, as well as himself, to the enjoyment of political privileges. There were, however, other passages in the Speech less wise, less liberal, less conciliatory, than those to which he had alluded—passages which had more of the old spirit of heartless legislation towards Ireland than was perhaps necessary. But, nevertheless, though he was somewhat disappointed by those passages, still he would say that he felt more pleasure on this occasion, than he had ever before experienced, because he now saw a reasonable prospect, that the peace and prosperity of Ireland would be accomplished, and that the security of the British empire, and the interests of the British constitution, would be strengthened and preserved, by a measure which was to place this question on a safe and permanent foundation. He thought, with many, that this was a great day for Ireland, and, in his opinion, the royal communication should be received with general delight. It ought to be, he conceived, a subject of joy and congratulation to England—an event which should excite exultation amongst Christians. It could not but give pleasure to British subjects who were anxious to promote union and peace at home, and to see the British name and nation respected abroad. The act now contemplated would, he thought, reflect infinite credit on his Majesty's ministers. Such an act pointed out the true value of place, and would confer the most lasting fame on the statesmen by whom it was planned and effected. He would sooner be the prime minister, with this charter of liberality in his hand, standing forward as the saviour of Ireland, than the Great Captain, whose fame resounded through all the world, covered with the glories achieved in the peninsula, and distinguished by the ensanguined laurels of Waterloo. It was a singular piece of good fortune for that great man to have lived in such times, and under such circumstances, as rendered it likely that he would be able to bring this important question to a settlement. It would be the consummation of that glorious work which Fox, and Pitt, and Burke, and Windham, and Sheridan, spent their lives in endeavouring to effect, and would willingly have died to accomplish. Their generous minds had sowed the precious seeds, and their noble spirits would not envy the good fortune of the

man, who, though he had not sown, was destined to reap the harvest. He now came to that part of the Speech in which allusion was made to the Catholic Association. He thought that a measure of grace,—a measure of pure liberality to the Roman Catholics,—would have done all that was necessary with respect to that Association; for, in the language of one of the most eloquent persons amongst them, they were told, “that the bond of the society was the bond of oppression—that the magic which held them together was the penal code.” But parliament was now going to break up that oppression, and to remove those grievances which kept the Association together; and he would never present himself to that House again, if, when he said that he believed those measures would put an end to the Association, he did not feel convinced that such would be the case. He was sure that confidence, liberality, and concession, on the part of parliament, would be met, on the part of his countrymen, with a total forgetfulness of the past, a grateful recollection of the present, and a generous devotion from this time forward to the interests of the British empire. He hoped that his Majesty's ministers would not be deterred by such taunts as had been that evening thrown out, from persevering in the honourable, wise, and beneficent policy upon which they had entered, and that, above all things, they would act upon a generous and comprehensive principle; for, if part only of their rights were to be conferred upon the Roman Catholics, and they were to receive only an imperfect enjoyment of their privileges, all the distractions, all the anxieties, all the inconveniences and danger attending the present system, would continue, and would probably be aggravated by the disappointment which must follow, if the hopes now excited should not be fully realized. He, therefore, conjured ministers to pay no regard to the insinuations which had been thrown out by the enemies of emancipation, who represented the proposed measures as the consequence of intimidation. If the king's ministers had been defeated it was by time, by circumstances, by the progress of knowledge, and the extension of liberal and enlightened principles, that they had been defeated. They had been defeated, in fine, by their country; and happy ought they to count themselves in being placed in circumstances in which they suffered a

defeat so glorious, and of which the consequences would prove so beneficial.

Mr. Moore said, that if he understood the observations of the noble lord who moved, and the noble lord who seconded the Address,—if he were to take those observations as being expressive of the intentions of his Majesty's government, then it would appear, that extensive concessions were to be made to the Roman Catholics. Now, he, for one, would say, that although the noble lord opposite (Milton), and the two hon. gentlemen, who had recently spoken, might indulge themselves in a strain of congratulation on the subject of this sudden change of opinion, yet the announcement of that night to the Protestants of Ireland would be a source of surprise and sorrow. How it would be received by the people of England, let the Protestants of England themselves declare; and he trusted, notwithstanding the taunts thrown out by the right hon. member for Kerry, with respect to the expression of opinion in the British empire on this subject,—he trusted, that he should never live to see the day when public opinion, generally, calmly, but fearlessly expressed, would cease to have its due weight with that House. The right hon. member for Kerry had directed the attention of the House to what he had been pleased to call mob-meetings. Now, if he knew any thing of public meetings in England, they deserved any other character than that which the right hon. member had ascribed to them. He could, however, speak from his own experience of the character of the public meetings in Ireland; and he spoke in the presence of a number of his countrymen who could set him right if he were not correct, when he said, that the meetings held in Ireland for the last four months, were attended by a greater proportion of the rank, wealth, intelligence, and information, of the Protestants of that country, than was ever before exhibited on any public occasion. He thought himself called on to state this, and to defend those meetings when the right hon. member thought proper to denominate them “mob meetings.” At many of those meetings speeches were delivered in a strain of eloquence, with a glow of animation, a force of reasoning, and an extent of intelligence, that would do credit to any assembly. It was not his intention at present to examine in detail the various topics contained in the Speech from the Throne. It would

be premature to anticipate the particular nature of the measure, with respect to the Roman Catholics, which was in contemplation. When it was brought before them regularly, he would then state his sentiments. He would, however, say, that his opinions on the subject of the Catholic claims remained unshaken. There was no man who more highly valued the services of the duke of Wellington than he did—there was no individual who participated more cordially in the public gratitude due to that great man than himself—there were few persons who entertained a higher idea of the talents and experience of his right hon. friend, the Secretary for the Home Department, than he entertained; but he could not coincide with their views on this occasion. He had not hastily adopted his opinion: it was the result of long and serious reflection. A sacred trust had been reposed in him by his constituents, and he should be guilty of a dereliction of duty, if any sense of public services, if any respect for political talents and experience, should induce him to surrender that opinion. He had felt himself called on, as it was not likely that there would be any division, to speak his sentiments, lest he might be supposed, by his silence, to acquiesce in that part of the Address which had reference to the Catholic question. He was fully sensible of the truth and justice of the feeling which induced his Majesty to declare in his Speech, that it was his duty, as well as his determination, to preserve inviolate the establishments in Church and State, and to maintain the Protestant reformed religion as by law established. He, however, could not help regretting that those with whom he had acted, and for whom he should ever entertain the highest respect, should on this one subject, have placed themselves in such a position as to oblige him to repeat the observation which he had formerly made in that House; namely, that the only security for preserving inviolate the Protestant establishment in this country, was that security which was provided by the great constitutional settlement of 1688.

Mr. M. Fitzgerald disclaimed all intention of casting a reflection upon the Protestant meetings which had taken place in Ireland during the last six months.

Mr. Secretary Peel said, that his hon. friend who had spoken last, his noble friend the member for the county of Buckingham, his hon. friend the member for

Ripon, and his hon. friend opposite, the member for Dorset, would at least believe, that nearly the most painful circumstance that could be imposed on a public man, in the performance of a public duty, must be when, after long acting with a number of individuals,—after proceeding in concurrence with them to the utmost of his power in a particular course of policy, he finds himself called upon, by peculiar circumstances, to separate from them. To separate, he repeated, from men for whose integrity, ability, and conscientious feelings, he entertained, and always should entertain, the profoundest respect, must certainly be counted amongst the severest sacrifices of a public man. But he trusted that his hon. friends would admit this; namely, that his Majesty's ministers stood in a situation different from that in which they were placed; that, in that situation, they had access to information which his hon. friends had not; and above all, that they stood in a peculiar relation to his Majesty, by which they had contracted an obligation, as responsible servants of the Crown, from which they could not relieve themselves by any reference to past declarations or past circumstances, from the duty of giving the best advice which they could form, as to any measure, under the then existing situation of affairs. That was their duty; and whatever might have been the understanding on which governments had been formed, with respect to the Catholic question, and whatever might have been the reservations which individuals had made when entering into the service of the Crown, such understandings and such reservations did not absolve them from the paramount duty of offering the best advice to his Majesty, upon any important conjuncture, and of being responsible for the consequences of that advice. He did not mean to answer the expressions of reproach which had fallen from his hon. friends. He admired them for retaining their opinions; and he only asked them, whether they would wish his Majesty's ministers to retain those opinions, when they appeared to be incompatible with the great interests which they were called on to guard? If his Majesty's ministers believed that adherence to resistance against the Roman Catholic claims ought to cease—if they thought that, upon the whole, it would be more for the interests of the country at large, and more for the Protestant interest, to take into considera-

tion the entire condition of Ireland, it was their duty, with reference to those interests which they had a common benefit in preserving, to give that advice. And he would unhesitatingly declare, that there was, under present circumstances, much less of evil, much less of danger, in considering the whole condition of Ireland by a united government, than there was in any other course which could be pointed out. He pretended to no new lights on the subject of the Catholic claims. He retained the same opinion which he ever entertained in reference to that question. He saw as clearly as ever the dangers which he had heretofore felt, as connected with that subject; but he had no hesitation in saying, that the pressure of present evils was so great and overwhelming, that he was willing to encounter the risk of those contingent dangers, rather than, in the existing situation of the country, to endure not only the continuance, but the aggravation of the present system.

The opinions which he had heretofore expressed on the Catholic question he still retained—but he must say, that, looking to the position of the government of the country,—looking to the position of the legislature,—looking to the disunion which had prevailed on this subject, in his Majesty's councils,—looking to the disunion which for several years had marked the proceedings of the two branches of the legislature,—and looking to the effect which all these causes had produced on the state of Ireland;—considering all these things, he must say, that there appeared to him to be sufficient reasons to induce him to accept of almost any alternative, rather than endure their continuance. For the last five and twenty years—ever since the year 1804—there had been a division in the king's councils upon the subject of the Roman Catholic question. The government of the country had, at intervals, before that time, been composed of persons who made a common cause in their resistance to those claims; but for the last twenty-five years, men holding different opinions upon that question had taken a part in his Majesty's councils. When Mr. Pitt returned to office in 1804, it was notorious that he entertained a strong desire to settle the question, by some satisfactory arrangement. He resisted, it was true, the proposition for taking the question into consideration; but he had done so on grounds

of temporary convenience, and not from any reasons connected with the general principle. In 1806, when Mr. Fox's government was broken up, and that of lord Grenville and Mr. Fox was formed, the principle of neutrality upon the Catholic question was one of the covenants upon which that administration was founded; and it was matter of notoriety, that the same principle had been acted upon in the constitution of every administration which had been formed in the country from that time down to the present hour. It was perhaps as unavoidable as it was notorious, that every administration in this country for the last twenty-five years, had admitted persons who differed in opinion upon the Catholic question. If there was any error in being a party to such a system, he was ready to take to himself his share of blame; but it was an error in which many great men had participated. No man could lament this more than he did; but he believed that the difference which existed amongst public men upon the subject of the Catholic question was so great, that it was found impossible to make up an administration, which could have any reasonable hope of carrying on the business of the government, if it had been founded upon any other principle than that of admitting, in the members of the cabinet, a difference of opinion upon that question. Men were obliged to yield to the necessity of the times; and to adopt a course which, although they believed it to be prejudicial to the interests of the state, they knew to be unavoidable. And it was certainly natural, when the country was placed in circumstances of difficulty and peril, that men who had at heart the general prosperity of their common country, should merge for a time their differences upon the subject of the Catholic question, in the desire to promote the other pressing interests of the country.

He said, however, that the reasons which operated to such an extent then could not hold good now. This question was second to no other which could be brought under the attention of the legislature. There was no immediate and pressing danger now, which prevented us from giving its difficulties our full attention. This, therefore, was his first position—that, however expedient, or however allowable, it might have been for the government to profess neutrality upon the

Catholic claims in other times, such a state of things was utterly out of the question now. At a time when there was scarcely an individual in the empire who did not express an opinion upon the subject, and who was not even making it the topic of his every day's discourse, it was impossible for the government to remain without coming to some decision,—without sending forth some explicit opinion, both as to this question and to those that were connected with it. These considerations had compelled him to come to the conclusion that, for the safety of the Protestant religion and Protestant institutions of the country, it was absolutely necessary for the administration to abandon the principle of neutrality on this all-absorbing question. Besides the embarrassments attendant upon a disunion in the cabinet on the Catholic question, there was the additional embarrassment in the disunion which, as a necessary consequence of it, prevailed in the Irish administration. Indeed, the disunion of the cabinet was calculated to create, necessarily and inevitably, a corresponding spirit of disunion in the constitution of the Irish government. As disagreement on the Catholic question was the principle on which the administration in England was formed, it was impossible to prevent the same principle from entering into the constitution of the Irish administration. Accordingly, there had been at one time a lord lieutenant in Ireland entertaining opinions unfavourable to the measure of Roman Catholic relief, and a Secretary entertaining opinions favourable to it. Again, we had had the lord lieutenant favourable to the claims of the Catholics, and the Secretary of opposite sentiments. This was the natural result of a divided cabinet; and although, there had been occasions, for instance, recently, of the lord lieutenant and the Secretary cherishing the same sentiments on the question, yet they were under the guidance and direction of a disunited cabinet. Thus, whether the administration of Ireland was united in favour of concession, or disunited against it, their conduct was always controlled by the principle on which the administration in England was formed; namely, one of disagreement upon the subject of concession. Seeing, then, the embarrassments which this principle had created hitherto in the construction of the cabinet—seeing, too, the embarrassment which its prevalence

extended to the administration of affairs in Ireland—and seeing further, that these embarrassments not only continued, but greatly increased, he had come to the conclusion, that things could not and ought not to remain as they were [hear!]—not only for the sake of the question itself, but in reference to the public interests, and to the interests of the Protestant establishments, which it was their most anxious wish and bounden duty to protect, it was desirable that things should not remain in their present condition [hear, hear!].

Now, he asked his honourable friends, —who, he believed, would hardly contest this proposition, that it was scarcely for the benefit of the Protestant establishment that this question should remain as it was—he asked them to consider how it was to be met? Was it possible to set it at rest by forming an administration of persons prepared to resist concession to the Catholics, under any circumstances? Was it possible to do this in the present state of public feeling and opinion? If it was admitted then, that matters could not remain as they were, and that the principle of disunion in his Majesty's councils ought to be continued, let the legislature fairly and dispassionately consider what can be done. And, first, let them inquire, whether a minister of the Crown, anxious to support the established religion, and to conduct the affairs of the country with benefit and success, could honestly advise his Majesty to attempt the formation of an administration on the principle of permanent resistance to further concessions to the Roman Catholics? He repeated, “on the principle of permanent resistance,” because he could see no advantage that an administration could derive from temporary resistance to the Roman Catholics; for if temporary resistance, founded merely on passing circumstances, was resorted to, the administration which adopted such a course at once admitted and conceded the abstract principle. If they declared that there were some reasons which, at a particular moment, pressed on them, as forming a sufficient cause for a refusal of concession, they conceded this point—that when those reasons were removed, the boon ought to be granted. For his own part, he had never seen any advantage that could result from opposing the Roman Catholic claims on temporary grounds. The inevitable result of placing resistance on such grounds as the expres-

sion of strong opinions, or the frequency of public meetings, the object of which might be to prevent the government from pursuing its own line of policy, would be to prevent concessions, but to prevent them on unfair grounds. He did not think it fair that permanent resistance should arise out of temporary grounds of expediency. He did not, therefore, think it would be good for the country, that a government should be formed upon the principle of permanent, unqualified, and uncompromising resistance to the Catholic claims. He, for one, could not advise his Majesty to attempt the formation of such a government, because he thought not only that it would fail, but that it would compel the settlement of the Catholic question at last; while, in the interim, those embittering animosities would have so far increased, as to make the settlement of the question much more difficult than it would have been before the constitution of such a government.

Considering that, in the last session of parliament, a majority in that House of 272 against 266, had decided in favour of further concessions to the Roman Catholics, to oppose such concessions would be to stand against an actual majority of the House; and any administration formed upon the principle of eternal and uncompromising resistance to the Catholic claims must ever have found itself in positive minorities. Was there the least chance that such a government could carry through parliament those measures which a rigid adherence to the principle on which it had been founded would render necessary? These were matters which he thought his hon. friends, in treating on the question, could not refuse to take into their consideration; but he was quite sure they must see how absolutely impossible it was that they should be overlooked by any member of his Majesty's government. The hon. baronet, the member for Ripon, should recollect, that to adopt authoritative and coercive measures would be to give a triumph to those very persons of whom he had spoken in terms of so much reproach. To make again the attempt which was made in 1825, would be to have the measure followed up by a declaration of that House, that the Catholic question ought to be conceded. On the fullest consideration, therefore, of all those circumstances which ought not to be excluded from their consideration, if it was intended to come

to an honest and correct opinion on the subject, he was entirely satisfied, that the attempt to form an administration against the principle which had been acted upon for the last twenty-five years—an administration composed exclusively of persons who would offer an uncompromising, unqualified, and permanent opposition to the Catholic claims—would fail, and in its failure produce consequences extremely prejudicial to the best interests of the country. An attempt from which he expected such results as these, he certainly would never advise, because he thought that it ought not to be made.

If, then, it were conceded to him, that matters could not remain as they were, and that an administration could not be formed on the principle of permanent resistance to concession, it must be admitted that there was only one alternative—namely, a consideration of this most important question, with a view to effect such a settlement of it as should be satisfactory to all parties. He would again ask his honourable friends if they did not see in the divisions which the discussion of this question had produced between the two Houses of the legislature, an additional reason for endeavouring to effect, as soon as possible, a final and satisfactory settlement of the question? Since the year 1807 there had been five general elections in this country; namely, one in 1807, another in 1812, another in 1818, another in 1820, and another in 1826. There had, therefore, been five different Houses in five distinct parliaments, and four of these had adopted resolutions in favour of concessions to the Roman Catholics. The House of Commons elected in 1807 voted in 1812 in favour of considering the question of concessions, by a majority of 235 to 106. The House of Commons elected in 1812, voted also in favour of the consideration, by a majority of 264 to 224. The House of Commons elected in 1818, which was the only exception in these five parliaments, resisted the consideration of the question, but only by a majority of two; the numbers being 243 to 245. The House of Commons elected in 1820, passed, in 1821, a bill for the relief of the Roman Catholics by a majority of 19. Now, to consider the measures of relief which this branch of the legislature had pursued. In 1821, a bill for the relief of the Roman Catholics passed that House by a majority of 19. In 1822, a bill for permitting

Roman Catholic peers to sit and vote in the House of Lords passed by a majority of 21. In 1825, the House passed a bill for the relief of the Catholics by a majority of 20. In 1826, the House passed a bill for the relief of the Catholics by a majority of 21. In 1827, the consideration of the question was rejected by a majority of 276 to 272; but in the last year it was carried by a majority of 272 to 266. In four, therefore, out of five parliaments, the House of Commons had come to resolutions in favour of the concession. It was not, however, so with the other House of parliament. And he must say he thought it became them to weigh maturely this fact, and see whether, in this difference between the two Houses of legislature, there was not to be found another reason for taking the question into consideration, with a view to the settlement of it. It could not be denied that the difference between the Houses of Lords and Commons on this point was an evil. Certain it was, that it acted not a little prejudicially on the government. The opinion of that House, which had been so repeatedly expressed in favour of concessions to the Roman Catholics, animated and encouraged faction in Ireland, though it was by no means intended to produce that effect. A proper line was not drawn between the proceedings of that House and the views which were entertained out of doors; and he had no hesitation in declaring it to be his firm conviction, that the expression of this opinion, on the part of the House, considerably raised the power of the Catholics, while it depressed that of the Protestants in Ireland. For five and twenty years the two branches of the legislature had been divided on this point; and he saw no means of removing the evil, except by a full and deliberate consideration of the whole question. No doubt any man who reasoned upon general grounds, and not from existing circumstances, would be justified in adhering to his resolution on this question; but, when it was found that such a resolution acted prejudicially to the government, it was surely but fair that that circumstance should be taken into the account, and admitted as a reason for the settlement of differences, which, no matter on which side the right might be, or supposed to be, were clearly proved to be injurious. In argument and speculation there might be error; but in matters of fact there could be none.

These, then, he repeated, were the reasons arising out of continued division in the councils of his Majesty, and between the two Houses of legislature, which had induced him to come to the conclusion, that there was no alternative left them but a full consideration of the question, with a view to the settlement of it. Retaining his former views, and sensibly alive to all the dangers upon which he had before insisted, he still found that he could embrace this alternative and come to a consideration of the question, because he could not shut his eyes to other dangers, and to other inconveniences, which had resulted from the state in which the question had till now remained. His hon. friend had asked him what particular measure it was intended to propose. If his hon. friend would look attentively, he would find that there was nothing in the Address, which pledged his hon. friend, or any other member, to support the measure, whatever it might be, which would be proposed; and if the question, therefore, remained unanswered, his hon. friend could not justly take any exception to the Address, upon the ground that he was ignorant of the nature of the measure to be submitted to the House on this subject. But he would satisfy his hon. friend, so far as he was able, with respect to the intentions of his Majesty's ministers. First, it was their intention, in conformity with the recommendation in his Majesty's Speech, to arm the executive government in Ireland with sufficient power to suppress an Association, which had been productive of evils so notorious, that he was spared the painful task of dwelling upon them. Until this was done, and the ascendancy of the laws in Ireland vindicated, he did not think that they ought to be called upon to take into consideration the question of concessions. It was not intended, therefore, on the part of the government, to propose any measure in accordance with the concluding portion of his Majesty's Speech, until this essential object should have been accomplished. His hon. friend had asked him, if they had any specific measure in view, or if they intended to throw the question loose upon the House, and, having no plan of their own, seek for one among the speculative notions and the theoretical views of others. He had no hesitation in telling his hon. friend, that the latter course was by no means contemplated by his Majesty's

ministers. At the same time, however, his Majesty's ministers looked upon the question as one which had been so repeatedly and so fully considered, that it was not necessary now to enter again into a minute examination of it. Formerly, such a course might have been necessary; but it would be idle now to consider the question otherwise than as one that had been fully and substantially considered. It was their intention, therefore, to submit to the House a specific measure, brought forward on the responsibility of the cabinet, at a period which they believed to be the most favourable, and as early as possible after the subject to which he had first alluded had been disposed of.

His hon. friend, too, had asked, what was the general character of the contemplated measure, and had complained that his Majesty's Speech did not enter more into the details of it. With respect to his Majesty's Speech, his hon. friend would, he was sure, perceive, on consideration, that his complaint was not well-founded. It could scarcely be expected that the details of such a measure would be developed in a Speech from the Throne. He had, without hesitation, gone as far as he could in replying to the questions of his hon. friend, but he must positively refuse to accept his invitation to enter now into the consideration of the details of the measure to be proposed. Not only was this not the proper opportunity, because those details could not now be discussed fully, but even if such a discussion could take place, it would answer no good end. The introduction of the measure would furnish the only proper occasion for the discussion which his hon. friend desired, and which would then be as full as his hon. friend could possibly wish. He had, however, no hesitation in saying, that it was the intention of his Majesty's ministers to propose a permanent settlement of the question, on what they believed would be thought to be a satisfactory basis. It was their intention to effect the removal of civil and political disabilities, subject, however, to those exceptions and regulations which to them appeared necessary—those exceptions and regulations standing on their own specific grounds. Other measures were in contemplation, but into them he would not now enter, contenting himself with stating that the principle which his Majesty's ministers had in view was to attempt a satisfactory and perma-

ment settlement of the question, and the removal of civil disabilities arising from religious distinctions.

This was the general basis of the measure; but, as he before observed, they would reserve to themselves the power of bringing forward such regulations as should appear to them to be necessary. The measure, far from proceeding from hasty conclusions or lately-formed opinions, would be the result of the mature deliberation of his Majesty's government. It was not to be regarded, for it was not intended, in the light of a compact or compromise with any set of men; neither did it result, nor was it connected with, negotiations with any foreign power; but it was a measure solely of domestic and internal legislation, which should, without interfering with the rights and dignity of the Crown, secure peace to the country, and have no reference whatever to any parties or factions. To introduce such a measure in the light of a compromise or compact would be most injudicious, but to divest it altogether of the character of a compact would be an immense advantage; for the parliament would then be able to legislate for Ireland, without reference to parties, as it legislated for Scotland, or for any other part of the empire. This settlement effected, and the civil disabilities removed, they must deal with the Catholics as with the rest of his Majesty's subjects. He wished he could say that he thought this settlement would be productive of those advantages which many hon. gentlemen anticipated would result from it. He confessed that his estimate of those advantages fell infinitely short of theirs, and he had more than once stated the grounds of that opinion. One advantage, however, it certainly would produce—the public mind would be quieted by it; and if then there should be any attempt—civil disabilities having been removed—to trench on the prerogatives of the Crown, or to innovate upon legislative enactments, he was sure that such attempt would be at once effectually rebuked and punished. Religious distinctions, too, having been done away with, they should come to the other subjects connected with the affairs of Ireland in better temper.

His hon. friend, the member for Ripon, had said, that within the last six months nothing had transpired which could justify an alteration in views previously entertained upon this question; and yet, in the

course of his speech, his hon. friend had alluded to an event which had taken place in the county of Clare, and had admitted, that the same event would have occurred in twenty other counties, if there had been as many opportunities. Surely, his hon. friend must admit, that this was a very important matter, as connected with this subject. His hon. friend had taunted his noble friend at the head of his Majesty's government, and indeed all his Majesty's ministers, with having allowed their fears to be excited, and with being intimidated into concessions. In his opinion, no motive could be more justly branded as ignominious, than that which was usually termed cowardice. But there was a temper of mind much more dangerous than this, though it might not be so base—he meant the fear of being thought to be afraid. Base as a coward was, the man who abandoned himself to the fear of being thought a coward, displayed little less fortitude. His Majesty's ministers were not, and had not been, afraid of the Catholic Association. That intimidation had been resorted to, he readily admitted. But, how had it been met? It was put down by the Protestant spirit of the country: and, if it had been continued, his Majesty's ministers were prepared to suppress by the physical force of the country, those offences against the laws which the moral strength of the people should prove unable to subdue. At the same time, he did not entertain the slightest doubt that, in the absence of physical force, and supported by his Majesty's loyal subjects alone, the king's ministers would have been able to destroy all attempts at carrying measures by intimidation, and that the wicked abettors of such attempts would have been involved in the ruin of their cause. In the summer the attempt was made and it failed. These, then, were not matters to strike his Majesty's ministers with fear, though others might. Fear, however, was by no means inconsistent with the character "*constantis viri*:" there were many subjects which it might be impossible for him to contemplate without dread; there were many views from which he might be justified in shrinking. He would tell his hon. friend, that the disorganization and disaffection which existed in Ireland could not be looked upon without fear, and that to affect not to fear it would be to affect insensibility to the welfare of the country.

He was not a man to yield to intimidation, or to be deterred by threats of commotions; but he could not understand the constitution of that man's mind, who, looking upon Ireland in its present state, could be free from apprehensions of consequences which might arise from allowing such a condition of affairs to continue.

But, the point which weighed most with him in respect to Ireland was this:—he conscientiously believed, that while this disunion existed between the legislative bodies and the government, a proper administration of the law by juries in Ireland was impossible. For these reasons, therefore, considering the absolute necessity of providing a remedy for this disunion between the two branches of the legislature in its bearing on the state of Ireland, and the probable aggravation of the evils so much to be lamented in that country, he had come to the conviction, that without reference to parties, it was his duty to advise his Majesty, that the barriers to the question should be broken down—that the whole question should be seriously considered—and that an attempt should be made to effect some settlement of it, which should calm the mind of every sincere Protestant, and satisfy every reasonable Catholic.

Having said so much, he was unwilling to trespass further on the attention of the House; and yet he trusted he should be allowed to add a few words respecting his own peculiar situation. The conclusion to which he, in conjunction with his friends had arrived, had not been influenced by the recent proceedings of the Catholic Association, nor by the difficulties which might present themselves in once more meeting the parliament. The opinions which he now expressed were formed more than six months ago, almost immediately after the conclusion of the last session. At that time he communicated with his noble friend at the head of his Majesty's government, and after an attentive consideration of the state of Ireland, they were of opinion, that it was not for the king's service, for the dignity of the Crown, nor for the welfare of the country, that hostility to concessions to the Roman Catholics should still be persisted in. He and his noble friend were of opinion, that the time was come for a serious consideration of the question, and that there would be less evil in conceding the question, than in persevering in opposition to it. Placed

in this situation, he felt it his first duty to give the best advice to his Majesty: yet, in doing so, he did not forget the peculiar situation in which he stood: he did not forget, that he had for many years past, offered, he hoped not a violent nor intemperate, though certainly a steady and unqualified opposition to the claims of the Roman Catholics. He had, however, never opposed those claims on temporary grounds, but had always resisted any concession on abstract principles. He did not, by what he now said, wish to find any refuge for the course he was now pursuing, from those sentiments which had fallen from him on former occasions. In the opposition he had made to this measure he had never professed to look to securities. His opposition had been complete and entire. That opposition, however, had always been confined to that House. He had never exercised it elsewhere, and though it had been charged against him that he had, he had not thought such accusations worth notice; yet he must now declare, that they were utterly unfounded, and that his opposition to the Catholic claims had uniformly been confined to the debates of that House. It so happened that when this question was under discussion by the government, which was in the month of August, he happened to be absent from town, and in consequence wrote to his noble friend upon the subject. He was sensible of the embarrassing situation in which he was placed, being responsible for the administration of affairs in Ireland, and yet constantly in a minority in that House upon a question which was thought to be of the greatest importance to Ireland. Reflecting upon this, he notified to his noble friend that he concurred with him that there was no other course now open but a full consideration of the question, with a view to its final and satisfactory adjustment. The right hon. gentleman here read an extract from a letter of his to the duke of Wellington. It stated, that "on a question of so much importance, he of course should not be influenced by any false delicacy, or fear of incurring any imputations of inconsistency, from taking whatever part any new position of circumstances might require; that he was ready, therefore, to hazard any sacrifice on that point; that he had a strong opinion that the proposed concessions to the Catholics would not be satisfactory to the country; but that, feel-

ing that all personal and private feelings should be subordinate on such an occasion, he was ready to do every thing in his power to promote the object in view." The right hon. gentleman continued. He knew and felt that all personal feelings should be subordinate to the public good but he could not help feeling at the same time, that his own position was materially different from that of any other minister, and he would willingly have retired from that interference in the settlement of the question which now devolved upon him. In the course of the discussions, however, connected with the consideration of this subject, his noble friend had said, that his retirement would greatly embarrass him; and this being the case, and it having been proved to his satisfaction that the difficulties in the way of settling the question, would be increased, if he pressed his retirement—he had said to his noble friend, that if such was likely to be the consequence, no consideration should induce him to urge his own personal wishes, but that he was ready to uphold in his place a measure which he was firmly convinced had now become necessary. His noble friend had done every thing in the power of man to render the measure about to be proposed satisfactory to all parties; neither had he, in the consideration of this measure, been at all intimidated by the proceedings of the Catholic Association. His noble friend had thought it his duty to advise his Majesty to resort to the proposed measure, and would not allow the fear of any imputations which he felt to be unjust to influence his conduct. For himself, the adoption of the measure had been proposed after much painful sacrifice. He had done all in his power to free himself from any engagements which might prevent him from exercising the most unfettered judgment, with respect to this vital question. He considered the path which led to a satisfactory settlement of it, to be, under all the circumstances of the country, the course most free from peril; and whatever part he might have taken on former occasions, with respect to this question, he considered it to be perfectly reconcileable with his duty, as a member of that House, and as a servant of the Crown, to do all he could to fulfil the solemn injunctions of his Majesty to consider this question, involving so deeply not only the best feelings of the people, but the tranquillity of the United Kingdom.

Mr. Brougham said:—Sir, it is not my intention to detain the House at any length on the present occasion; for I perfectly agree with the right hon. Secretary that this is by no means the proper time to enter into any consideration of the nature of the measure which it may become parliament to adopt, with respect to that most interesting subject which at present engrosses the attention of all. When a speech from the throne contains a recommendation to parliament to take any particular matter into consideration, it is not fitting that the details should be specified; for that would have the air of dictating to his Majesty's government the measure—which it is left to the wisdom of the legislature to discuss. It follows that we cannot have more than a general statement conveyed to us, and accordingly the practice never is, to ask for the particulars in the first instance. So far am I from feeling the slightest disposition to do so, that I cheerfully declare that I, for one, am perfectly satisfied with the general description of the proposed measure comprehended in the Speech from the throne; which general description I understand to mean, that the arrangement to be made shall be on a wide basis and of a permanent character; not a narrow niggardly measure—not a grant of a mere part or parcel of that which is required, reserving the remainder until some other season. What I understand is, that we are to do all that ought to be done, and that we are to do it at once; that the mind of the legislature is to be applied to the question; and that, after the due deliberation which its importance demands, we shall make to the Roman Catholics such concessions as may once, and for all, terminate the differences between us; that we shall give them what we can afford to give, and what they ought to be satisfied to receive. Sir, I say what the Roman Catholics ought to be satisfied to receive; for I entirely concur with the right hon. gentleman in the opinion, that this great measure, from which I trust such important benefits will result to Ireland and to the empire at large, would lose a great part of its value, if it were to be the result of negotiation or compact. Sir, I consider the Catholic question as substantially carried; I consider that all the essential parts of that question are irrevocably granted: above and before all, the admission of Roman Catholics into both Houses of parliament, as well as their

equal eligibility with Protestants to the great offices of state, with one or two exceptions, on which it is quite unnecessary at present to touch, and the peculiar nature of which is such that the Catholics themselves must admit that it is but fair and just not to say necessary, that they should be excluded from them. It has been said by an hon. baronet, that some of those by whom this proposition is about to be propounded have changed all the principles which they formerly maintained, without any adequate cause existing for the alteration. Sir, if, even in the case of circumstances remaining the same, the result of a larger and longer experience should be to induce a man to change the opinion which he formerly held, and conscientiously to support an opinion diametrically opposite—even in that case, I should never impute to him any motives inconsistent with a manly and honest discharge of his duty. Sir, I prefer those who are ready to profit by experience, above those who live to grow more perversely obstinate, year after year reaping the sad fruits of long life, without the important, the melancholy consolation, of being able to set off against increasing age, augmented wisdom. But, Sir, I differ from the hon. baronet to whom I have already alluded, as well as from the noble lord opposite, when they say, that no change of circumstances has occurred to produce that change of opinion which they condemn. What! has no difference in the state of things taken place within the last three or four, to say nothing of the last five-and-twenty years? Undoubtedly I, and those who agree with me on the subject, have always maintained that no such change was wanted. We did not require the results of any further experience to convince us, that concession to the Roman Catholics was as expedient as it was just. We, without the benefits of experience, contended in favour of the concession; as, having derived that benefit, we now continue to contend all the more strenuously in favour of it. But we all know that different men may see the same subject in various lights. I am perfectly aware—for I have heard it in all quarters—that the circumstances which have occurred within the last two or three years, and still more emphatically within the last half year have greatly changed the opinion of many persons, both in parliament and out of doors, with respect to

the Catholic question. It has appeared to them that the elements on which their opinion must be founded have materially altered; and well may they think so. Sir, the observations which fell from the right hon. gentleman on the state of parties in the country, with reference to this great subject, seem to me to be unanswerable. If it be necessary, as all must admit, that the government of this country should be a united government, and act in concert for the public benefit, it is clear, as the right hon. gentleman so well stated, that of the two alternatives they must choose one. They must either make the Catholic question a cabinet measure, to carry it to its full extent and immediately; or they must make it a cabinet measure to deny it, and to deny it for ever. For it would be childish, indeed, to suppose that it would be practicable for any government in the present day to say, "We will resist concession to the Catholics, but we will not resist it for ever; we will resist it only for six months, or for some indefinite time until circumstances shall change." I repeat, Sir, that government must either at once carry, or must for ever resist concession. If they resist it, perpetuity of resistance must be the cardinal point of their policy. Now, that is impossible. I address myself to men who have not changed their opinions on the subject at all. If there is any man who hears me, and who maintains the doctrine of non-concession, in spite of events, in spite of experience, in spite of all that has lately occurred in this country, in spite of all that has lately occurred in the sister kingdom—if there is any man on whom the events of the general election in 1826 have been lost—if there is any man on whom the election for the county of Clare in 1828 has been thrown away, and who still holds that great mischief must result from carrying the Catholic Question, and who still maintains that they ought never to receive any further concession—I ask that man to point out, either in this or the other House of parliament, the materials of which his Anti-Catholic cabinet could be composed [hear, hear!]. Sir, I contend that there are no materials in existence for such a cabinet. Suppose the right hon. gentleman opposite, unfortunately for his country, unfortunately for his own reputation, had continued to adhere to his opinion, that the claims of the Catholics ought never to be listened to,

he alone must have formed of all the persons here—I speak of course of the persons capable of administering the affairs of a great nation—he alone, with the exception of one or two other individuals on the bench as below, and with the exception of one or two noble persons, members of a House to which it would be disorderly further to allude—he must alone have formed the cabinet by which continued resistance could have been made to the settlement of the Catholic question. It is quite clear, therefore, that the thing is politically, I might almost say physically, impossible. That being the case, the change of circumstances which it indicates will well justify individuals who formerly voted against concession in now voting in favour of it. What is the change of circumstances thus indicated? It will, I presume, Sir, be acknowledged by every body, that it is expedient that the government of a country should be carried on by the regularly constituted authorities; that it is expedient that the government of Ireland should be carried on by the lord lieutenant, magistrates and other functionaries, aided by the regular body of the civil and military power. Now, Sir, I ask; has the power of the state in Ireland been, for some time past, effectually in the hands of the constituted authorities; or has it not been substantially administered by the Catholic Association? That is a state of things the continuance of which cannot be otherwise than mischievous. The friends of the Catholic Association—nay the Catholic Association themselves—must concur with their enemies in deprecating the continuance of such a state of things, as utterly inconsistent with the safety of the government and the peace of the empire. But, are there more ways than one of putting an end to this state of things? No man living will venture to say that it is possible to put down the Catholic Association in any way but one; namely, by carrying the Catholic question [hear, hear!]
—And this, Sir, leads me to advert to that part of the King's Speech, which of course I treat as the speech of the king's ministers, on which, and on which almost alone, I feel any disposition to make the slightest comment. I confess, Sir, that I wish the recommendation of concession to the Catholics had preceded, instead of following, the recommendation of putting down the Catholic Association; and for this simple reason—I am as clearly con-

vinced as I am of my own existence, that if the measures had been taken in the succession which I have described, the carrying of the first would have rendered the second perfectly unnecessary. Concession to the Catholics would have instantly put an end to the Catholic Association. The Association was originally created by the existing grievances; by their continuance it was kept alive; upon their redress it must die a natural death. This arrangement, however, not having been made, we have now only to listen to the propositions which it is the intention of his Majesty's ministers to submit to parliament. All I trust is, that the propositions will be so framed as to abstain from invading any general constitutional principles; and that parliament will not be required to pronounce upon the hateful alternative of either rejecting a measure, the tendency of which is to relieve the Catholic body from their disabilities, or to adopt it, at an expense of constitutional principles too large to be consented to even for such an object. What I mean, Sir, is distinctly this:—Great as would be the value of restoring religious peace and political tranquillity to Ireland, if those objects are to be obtained only as a consideration for parliament's arming his Majesty's government with powers over all classes of his Majesty's subjects, Protestant as well as Catholic, dangerous to their civil liberties, it will become us, at least, to pause before we consent to any such proposition. Into what, in my opinion, ought to be the details of the proposed measure, I shall, of course, at present abstain from entering. When we shall hear them, in detail we shall have an opportunity of exercising our judgment respecting them. I trust that, to use the words of the Speech, the powers which it will be proposed to parliament to intrust to his Majesty's government will be only "such powers as may enable his Majesty to maintain his just authority." But, I would fain hope that the news of this Speech from the Throne, and of the declarations of his Majesty's ministers in both Houses, when it reaches Ireland, will have the effect of obviating by anticipation the necessity of any new powers whatever. Of this I am sure, that if ever I have taken leave to advise my Catholic fellow subjects from my place in parliament (the only place in which I ever have advised,

or ever will advise them), if they have ever condescended to listen to any suggestions which I may have thrown out for their benefit, I here declare to them, that I never more earnestly, I never more deliberately, I never so anxiously, intreated—implored—conjured them, by their regard for their own honour, by their regard for their own interests, by their regard for the interests of the empire at large, by their regard for the peace of their own country, and, above all, by their wishes for the success of their own cause, at once to be satisfied with the assurance in the Speech from the Throne—at once to be content with the commentaries of his Majesty's responsible advisers in both Houses on that assurance—at once to be content with the state of the question both in and out of parliament—and instantly, freely, I cannot say unasked, for I have asked them, but uncompelled, to put an end to the corporate existence of the Catholic Association, and to fling themselves without reserve on the justice of the country [hear, hear !]. If they comply with this advice, I will answer it with my head if it were necessary—but I will pledge whatever little credit I may enjoy with them for having long been the zealous though humble advocate of their claims in this House, that the question will be as certainly carried, and carried to their hearts' content, as if the bill had already received the royal assent [hear, hear !]. Nothing could then prevent its being carried; nothing can endanger its being carried, except its being accompanied by provisions injurious to the principles of civil liberty; provisions which will be wholly unnecessary unless they persist in meetings and other proceedings, the whole necessity for which, and with the necessity the justification, all candid and impartial men must acknowledge is, from this night at an end for ever [hear, hear, hear !]. It is almost superfluous for me to add that, laying aside all personal, all party considerations, I most heartily rejoice that this great work has been performed, by whose hands soever. Could I do otherwise? Good God, who would stop at such a moment as this to ask who does it, so it be only done? Who can care what party man profits by it, provided only the country derives the inestimable benefit of liberty and peace? When so mighty an advantage, civil peace and religious tranquillity—quiet at home and strength abroad, is about to be secured,

all petty distinctions sink into insignificance. We are united,—at least for a season; we are all engaged in the same cause. There will be ample time for discussions of a less important nature, after this, one of the most valuable, and extensive, and lasting benefits, has been secured, which parliament has for a century conferred upon the country [hear, hear !].

Mr. *Trant* said, he had hitherto given his humble but zealous support to the government, in the confidence that the leaders of it were firm supporters of the Protestant constitution. He now found himself bitterly disappointed. He had listened to too many of the sound arguments of the right/hon. Secretary on former occasions, to be deluded by the sophistry of the speech which he had made in his new character of Catholic emancipator. He would say that, in Ireland at least, it never would be believed that he had not been intimidated. He supposed that, if the details of the promised measure were not considered satisfactory, the doors of the House would be beset by the Irish Catholics now in London. Indeed, Mr. O'Connell was reported to have said, that if he was refused his seat in that House, "What if the hundred thousand Irish Catholics in London were to set fire to the four corners of the city." The right hon. Secretary had said, that he could not carry on the business of the government with the present House of Commons. Why, then, did he not appeal to the people of England, who were ready to return a House which would enable him to conduct affairs on true constitutional principles. He lamented that the right hon. gentleman's courage had failed him in the very moment almost of victory. Having shown such want of firmness, however painful the avowal was, he must declare that he could not again trust him as a leader.

Mr. *H. Maxwell* said, he felt himself bound to take that early opportunity of stating that his opinions upon the Catholic question were unaltered. He had always been opposed to the concession of any further power to the Roman Catholics; because he was persuaded, that no such power could be granted to them with safety to the Protestant constitution. His opposition to that measure had always been most decided, and every day's experience confirmed him more and more in it. As long as he had a seat in that House, and breath in his body, he would give

every opposition in his power, under any circumstances, to the claims of the Roman Catholics. He would merely add, with respect to this measure, recommended as it was from the Throne, that he was convinced that it would not only fail in producing those beneficial results which his Majesty's Speech anticipated, but would shake to the very centre the Protestant institutions of the realm.

Mr. *C. Pelham* thought that the proposed measure would be most injurious to the liberties of the country. He considered the explanation which the right. hon. Secretary had given highly unsatisfactory, and expressed his deep regret at the right hon. gentleman's abandonment of the principles which he had hitherto maintained with so much firmness and success.

Colonel *Rochfort* said, he rose to enter his protest against the address. The hon. member for Dublin had correctly stated the opinions and conduct of the Protestants of Ireland. That statement he could corroborate in every particular, as to the county he had the honour to represent. A vast majority of the Protestants of that county, of all ranks and denominations, were against further concessions to the Roman Catholics; and they were actuated by no motives but a sense of the danger of granting to them political power.

General *Gascoyne* said, that as an Englishman and a Protestant, he must declare the apprehension which had been excited in his mind by the language in the Speech from the Throne. He had listened with great attention to the right hon. gentleman's explanation, and he must say that a more unsatisfactory one he had never heard since he had a seat in that House. The right hon. gentleman had, at once and without reasonable cause, changed those principles which he had held for five and twenty years. By maintaining his former opinions, the right hon. gentleman was placed at the head of a great party in the country, and was supposed, from his repeated declarations of adherence to his opinions, to be the main stay of that party; but now he had left his opinions and his party in the lurch. What was the language of the right hon. Secretary when Mr. Canning succeeded to office? The right hon. gentleman had stated upon that occasion, that it was impossible for him to remain in office, holding the sentiments which he did upon this question; that he thought it his duty,

rather than be guilty of any dereliction of principle or inconsistency in his public character, to withdraw from the administration of which Mr. Canning was the head; and that it was not from personal feelings, but because he objected to any individual holding those opinions being the first minister of state. Upon what grounds, then, did the right hon. gentleman now come forward to justify and make palatable, that measure, which, a short time ago, he made the reason for seceding from office? That step must have been taken from personal objections. He lamented the course which had been pursued by the right hon. gentleman, for more reasons than one. He lamented it for the immediate cause; he lamented it for the sake of the right hon. gentleman himself; he lamented it because, in future, no confidence could be placed in the assurances of any minister. He did not feel himself at present called upon to give implicit confidence to that minister whose conduct did not admit of explanation. But, whatever might be the resolution of the cabinet, there was, thank God! a power not less potent than the cabinet—he meant the voice of the people. He trusted that before this grand alteration of the constitution was made, the prerogative of the Crown would be exercised by the dissolution of that House; and he had no doubt, in that case, that the voice of the people would be not only intelligible, but would teach a lesson to future ministers which they would not soon forget. The hon. gentlemen around him need no longer despair of obtaining universal suffrage and parliamentary reform: they had nothing to do but to get up an association, and straight the alarmed minister would come down to the House with a proposal to grant all they wanted. Let them try an association, and, doubtless, in a few years what we have now heard upon the subject of Catholic concessions will be repeated of radical concessions [hear, and a laugh]. The hon. members for Aberdeen and Westminster cheered him. Well might they cheer; for their dreams had never so great a chance of being realised. Let hon. members say what they would, this had been the work of the Catholic Association, which had gained an ascendancy over the minds of his Majesty's ministers. However he might regret his differing from hon. friends with whom he had generally agreed, he should nevertheless fulfil his

duty to his constituents, and oppose every motion in favour of Catholic emancipation. His opinion was, that the question was brought on prematurely. Not one tenth of the members of the House had yet come up. Many members remained in the country, not believing it possible that such a measure as this was occupying the attention of his Majesty's government. He should have many opportunities, and he would avail himself of every one of them, of opposing the measure that was to be proposed; and if he should not be supported in that House, he should be by the general voice of the people. He disapproved of the recommendation in the Speech, and could not but enter his protest both against the Speech and the Address.

Lord Ashley said, he was glad that this question was at last likely to be brought into a tangible shape, so that the House might ascertain, on the one hand, what was demanded in the way of securities, and, on the other, what was asked in the way of concessions. Year after year it had been before the House, but it had never arrived at that point when they could decide with clearness and effect. Up to the present time, there had been nothing definite. He rejoiced, therefore, at the prospect of this great question being definitively settled. No time had been so favourable for its adjustment as the present. It was said, that such a step involved peril. His answer to that argument was, that the peril of advancing was problematical, whilst that of standing still was certain. The peril that pressed hardest upon us was that of weakened resources, a divided people, an impoverished country, and the enmity of a nation which ought to be England's right arm. Parliament could have no better security for the safety of the measure, that would be proposed than the character of his right hon. friend.

Mr. H. Grattan said, he was no flatterer of ministers, but he could not help saying, that he highly approved of the conduct of the right hon. gentleman opposite. Honourable members had talked of the right hon. gentleman having deserted his colours; but what was it he had, in fact, done? He had torn down a standard which was inimical to the peace of the country. His words that night would lay low the Orange standard of the north of Ireland, and prevent the raising of the

green standard of the south. Thanks, and not reproaches, were due to the right hon. gentleman for his conduct; for had those standards come into collision the most fearful results might have followed. Every man at all acquainted with Ireland knew that a crisis was approaching in Ireland; that property was valueless, and that all men feared some mine was ready to explode beneath their feet. But how would things be changed when it was known that the benevolent intentions of his Majesty expressed with regard to Ireland, thirteen years ago, when prince of Wales, had been uttered from the throne? He should have wished, however, that the two passages in his Majesty's Speech relative to Ireland had been inverted in their order. Had the last been first, the first would not have been necessary. The Catholic Association had declared that, as soon as emancipation was granted, it would dissolve itself; for, as soon as emancipation was granted, it would be useless, as the tranquillity which, by the papers on their table, it appeared to have been chiefly instrumental in preserving in the south of Ireland, would then be established. Honourable members had talked of intimidation, and of ministers having yielded improperly to such intimidation. The Catholics would have been the veriest reptiles, had they not used every means in their power to obtain their just rights. If intimidation were a means, they were justified in using it. Was not the great charter, the boast of Englishmen, obtained by intimidation? The ministers of the present day, wiser than the ministers of king John, had not waited until it became absolutely necessary for the people to extort their rights by force of arms. The ministers of Charles 1st had braved the intimidation used towards them; they had waited until that period arrived; and the consequence had been, not only that the people extorted their rights, but, that it had cost the life of the monarch. In 1775, the ministers neglected the warnings that were given them, until the confederation in America was formed. Did honourable members wish the ministers of the present day to wait until another confederation was formed, which would, perhaps, have forced the Catholics to sever the ties which should exist indissolubly between Ireland and Great Britain? It was satisfactory to think that there were still noble hearts

which beat with love of country, and high-minded feeling which could sacrifice itself for the public good. He was sorry, however, that the part relating to the Association should have been introduced into his Majesty's Speech, as it showed that some severe measure was in contemplation; at least some measure stronger than had been hitherto passed to put down the Catholic Association. If such a measure were intended, he trusted it would be of a temporary nature. Besides, it would be unwise to make so serious an infringement upon the constitution, at the same time that our fellow-subjects, hitherto strangers to it, were about to partake of its benefits. He trusted, however, that the sentiments which had been expressed by some honourable members that night would render unnecessary any act of violence to the constitution. He hoped the people of Ireland would listen to the advice of their friends, and dissolve the Association. They would thus secure the benefits of peace and prosperity to their country, which had been so long distracted; but he hoped better days were about to rise upon it.

Sir *James Mackintosh* said, he did not rise to prolong the debate. There were some points of the Speech which he would readily pass over without discussion, but there were others, as to our foreign relations, with respect to which he entertained great doubts, and should probably hereafter ask for information. He would commence the few words he intended to address to the House by expressing the satisfaction—greater than on any former public occasion—which he had felt at the Speech which the king's ministers had advised his Majesty to deliver to parliament, illustrated, as it had been, by the clear, explicit, and sufficiently explanatory commentary of the right hon. gentleman opposite, who, as it appeared to him, would have been wanting in duty and prudence if he had expressed more fully the nature and purport of the proposition which ministers intended to submit to parliament. He trusted and believed, that this Speech of his Majesty would prove, in its results, the happiest communication that ever was made from the throne of England—a communication tending to produce national harmony and unanimity, in which England, by doing justice to Ireland, would widen and deepen the foundations of her own safety and prosperity. The hon. baronet, the noble

marquis opposite, and the hon. member for Dorsetshire, whose consistency he unfeignedly respected, had talked of not yielding to intimidation. He had seldom ventured to suggest advice to his Majesty's ministers, but he would say, that they had a ready and effectual answer to this imputation upon them, and that answer was to be found in the language thrown out against them by those very opponents; for they had informed the House, and through the House the country, that it was their wish to stir up a spirit of popular opposition against the passing of the intended measure for the relief of the Catholics. This threat was held out against the king's ministers—he used the word not in an improper sense—but he maintained that there was an endeavour, by exciting the fear of a popular opposition, to dissuade his Majesty's government, or rather to deter them, from carrying into effect the measures they were prepared to submit to parliament. He was confident that they would defeat the hon. members opposite by persevering in their designs, in spite, not only of the popular opposition with which they were threatened, but the actual clamour that might be raised against them. In this manner would they show that they could withstand the real intimidation attempted to be exercised over them. He should think himself unworthy to take any part in this discussion, if he hesitated to adopt the recommendation of his hon. and learned friend. It was of no importance from what quarter this measure came, or by whom it was proposed or carried. It was a measure for establishing religious liberty and national unanimity, and for upholding and ensuring the safety and greatness of the British empire. On these grounds he should conclude with stating, that he felt greater delight at the transactions of that day than at any public event he had ever witnessed.

Sir *Francis Burdett* said, he could not suffer the occasion to pass, without stating that he cordially concurred in all that had been said by his hon. and learned friend (Mr. Brougham), and more especially in the advice he had given to the Catholic Association; which, he ventured to say, was the wisest and safest, and the most convincing argument that could be addressed to the honest, though prejudiced, portion of the people of this country. This measure would unite all men in sup-

port of the justice of the Catholic claims; and all men would feel, that there was more of danger from refusing the Catholics their rights, than from yielding to the prejudices which, he could not deny, many honest men still entertained. At the same time, he must take that opportunity of expressing his gratification that, under circumstances so difficult as those in which the duke of Wellington was placed, he should have been able to prepare and mature the minds of so many persons, so as to induce them to comply with his views, and to bring to this point a question of such vast importance. He was unwilling to check the grateful and joyful feelings of the country at this measure, by any animadversions or remarks of any description on other parts of the Speech; but he felt it right to say, that he agreed in opinion with his right hon. and learned friend, in thinking, that there were some topics which required investigation. With regard to the statement which had been made by the right hon. Secretary, he considered that, so far from deserving any blame or reproach, for any part of his conduct, he was entitled to the support of every honest man; on the simple ground, that he had risked what he had done, for the purpose of a great public object. Let his reasons or his motives be what they might—whether a sincere change of sentiment, or a concession to circumstances—he had taken the opportunity of effecting a great public good. He must have conquered many misgivings, and undergone many taunts from his former friends: but he found, at the present moment, after a consideration of the difficulties of this question, that balancing the advantages against the disadvantages, the former preponderated in favour of the line of conduct he now adopted. There was no computation on the right hon. gentleman for the course he had pursued; on the contrary, there could be nothing more honest, wise, and upright, than for a man in the right hon. gentleman's responsible situation candidly confessing the difficulties of the case, and consenting to support a measure to which he had once strongly objected. He hailed the intended measure as the harbinger of peace to the two kingdoms, which would make the union a union of heart, and thereby fulfilling the intentions of those who brought about that measure. He hailed it as the means of strengthening the country within and with-

out, in its domestic concerns and its foreign relations. With regard to the noble duke who had brought forward a question of that magnitude, he deserved the support, and he would meet with it, of every candid and unprejudiced man. Never had he anticipated such pleasing consequences as he expected from this measure, and when the duke of Wellington brought it forward, he should have in him, however feeble an advocate he might be, at least one sincere and honest defender.

The Address was then agreed to.

HOUSE OF COMMONS.

Friday, February 6.

MINUTES.] Mr. W. WHITMORE gave notice, that he would, on the 10th of March, move for a Select Committee, to inquire into the State of the Trade between Great Britain, the East Indies, and China.—Mr. LITTLETON gave notice, that he would, on the 17th of February, move Resolutions to abolish Fees and Charges on renewal of Turnpike Bills.—Mr. Secretary PEARL gave notice, that, on Tuesday, he would move for leave to bring in a Bill, for the Suppression of Dangerous Associations in Ireland.—Mr. VILLERS STEWART gave notice, that he would, on the 7th of May, bring forward a motion on the State of the Irish Poor, with a view to their relief from Parochial Assessment.

COURT OF CHANCERY.] Mr. M. A. Taylor begged leave to ask his right hon. friend opposite, a question relative to the Court of Chancery. He had given notice of a motion on that subject; but his course would depend on the answer he received. He wished to know whether there was any measure in contemplation to expedite the business of that court, according to the view held out, in 1827, by the lord Chancellor?

Mr. Secretary Peel stated, in answer to his hon. friend, that he was aware the lord Chancellor was strongly impressed with the necessity of some arrangement, to facilitate the business of the court of Chancery. He also knew that it was the learned lord's intention to submit some proposition to that branch of the legislature to which he belonged.

Mr. M. A. Taylor was satisfied with what his right hon. friend had said, and should simply move for the returns, without opening any discussion.

Mr. Brougham hoped that the noble lord would bring forward his bill as speedily as possible, for it was desirable for many considerations, amongst which a most urgent one was the expediency of fixing the period of the Easter term. This year, the day of the month on which

Easter Sunday should fall, was a matter of dispute; some asserting that it should be on the 19th, and others on the 26th of April. It was therefore to be hoped, that the learned lord would not delay his bill, nor await the report of the law commission, for a remedy for the inconvenience to which he had alluded.

Mr. *Peel* said, he could not offer any opinion on the question alluded to, until he had consulted the law officers of the Crown.

ROMAN CATHOLIC CLAIMS—PETITIONS FOR AND AGAINST.] Sundry petitions were presented for and against any further concessions to the Roman Catholics.

Sir *T. Lethbridge*, on presenting a petition from a parish in Somersetshire observed, that though this was the first he had to present, it would not be the last. This petition had been prepared under very different circumstances from those under which it was presented, but it was still important, as speaking the sentiments of the people against the claims of the Roman Catholics.

The *Solicitor-general* said, he had a petition to present against the Catholic claims, the language of which was so firm, but temperate, as to entitle it to the particular attention of the House. It was from the dean and chapter of the cathedral church of Chester, and it began by entering their protest against the extravagant demands and imperious tone of the Roman Catholics, whose claims, they affirmed, could not be conceded in consistency with the safety and permanence of the Established Church; and finally, it prayed the House not to sanction any compact with any foreign see which might indirectly acknowledge the existence of its supremacy in this country. The learned gentleman stated that, for his own part, if he saw any probability of success in any longer resisting these claims, he would still hold himself bound to oppose them; but he would say, that the security of the whole empire, in his judgment, called on the legislature to consider with deliberate attention, the claims that were made upon them; and he felt that he should better discharge the duty which he owed to those who had sent him there, and to his country, in bestowing whatever time he could apply to the purpose of framing, devising, and perfecting such securities as would establish permanently

and inviolably the Protestant Ascendancy in this country, than by wasting his time in single and fruitless opposition to all concession.

Mr. *John Wood* said, he had a petition to present from a large body of Protestant Dissenters in Liverpool in favour of the Catholic claims. He was glad that, by this petition, they had redeemed their pledge, that if the Test and Corporation acts were repealed, they would not cease to petition until all disqualifications were removed from others. The petition was signed by highly respectable men. He had shewn the signatures to the members for Liverpool, and they had admitted that none could stand higher. Among them was that of Mr. *Roscoe*. Last night, the gallant general (*Gascoyne*) had expressed his hope that the king would exercise his prerogative and dissolve parliament. But he was sure that if the cry of "No Popery" was raised, it would fail, as it had done at the general election, in 1826. Against himself that cry had been raised at Preston, but it had no effect; for he was returned by an overwhelming majority, though it was known he was friendly to the Catholic claims.

General *Gascoyne* admitted that the names attached to the petition were highly respectable. He approved equally of the mode in which they expressed themselves, and the person they had selected to bring their petition forward; because they must be well assured that his own conduct would justify them in not committing it to his hands. If he was rightly informed, the hon. gentleman would soon be instructed by his constituents to bring forward a petition of a very different nature. He was quite satisfied that if there were a dissolution, the hon. gentleman would no longer represent the place for which he sat at present.

Mr. *Huskisson* said, that the hon. member for Preston had stated to him, in private, the reasons that had deprived him of the satisfaction of presenting the petition. He felt that this was an occasion when he should vindicate his own consistency on all questions affecting religious liberty in this country and Ireland; and he would, therefore, state, that the grounds on which he had declined to support the repeal of the Test and Corporation acts were solely that he apprehended that, if it preceded the concession of the Catholic claims, it would operate afterwards as an

obstacle to their success. The measure was one that must necessarily extend religious liberty to all classes of his Majesty's subjects; and he should, therefore, give his most cordial support to it. If on that occasion he was under any mistake, at least it was not applicable to this subject, about which there could be no misunderstanding, for he had expressly stated, that most of his constituents were Dissenters from the Established Church, and were much too enlightened not to wish for the extension of religious liberty throughout the empire. In that opinion he had since been confirmed by facts which had come within his own knowledge; and whatever was the impression under which he might have acted, at least it must be admitted by every one who had observed his conduct, that he was not one of those who wished to exclude any class of the king's subjects from the benefits of civil liberty, which was intended for all.

ADDRESS ON THE KING'S SPEECH.]

Sir *T. Lethbridge* said, he would take that opportunity of offering a few words on the Address, although it was far from his intention to offer any opposition to its being received; but as he had had no opportunity on the previous evening of addressing the House, he would say a few words on the present occasion. The Speech of his Majesty contained a recommendation to the House to take into consideration the civil disabilities under which the Roman Catholics laboured, with a view, no doubt, to bring about a reconciliation between that portion of the king's subjects and those who were opposed to their claims. He had sat for a great many years in that House, and had felt it to be his duty on all occasions, when this measure had been brought forward, to give a vote against any such proposition. Taking into consideration this recommendation to the House, he could not look upon it in any other light than that it was to form a great act of the legislature; especially as it came, in this instance, from what might be called an isolated quarter. He must say, for his own part, that he had always been opposed to the consideration of the Catholic claims: those opinions still remained unchanged in his mind; and he could not entertain any expectation, that the result which his Majesty's government appeared to be aim-

ing at would be obtained. He, however, sincerely hoped that they might be able to succeed, because he was aware of its great and vital importance to the whole empire. He was well aware of the general feeling which existed in the mind of the people of England, and of that which existed in the mind of the people of Ireland also; he was quite aware that the settlement of the question, even though it should be settled in a manner contrary to his wish, was much more desirable than to leave it in a state of agitation. His only reason for rising was, to declare to the House that he should, during the further progress of the measure, watch with the greatest anxiety what that measure was to be—that he should, with the utmost anxiety, endeavour to procure for that portion which had hitherto been contradistinguished from the Roman Catholics by the term of the Protestant part of his Majesty's subjects, the best terms of capitulation that he could, for the safety and inviolability of those interests which, for so many years, had been the exclusive right of the Protestants of the country.

Mr. *Leslie Foster* said, he would take that opportunity of briefly, but freely, looking at the situation in which that House was placed by the recommendation of his Majesty; and he should do this the more freely, as he stood untrammelled by any circumstance that could be supposed to give him an undue bias on the subject. He was no Orangeman—he was no Brunswicker; neither the one nor the other had the smallest claim upon him. On the contrary, he had subjected himself to much inconvenience and attack by refusing to join those parties. At the same time he must state, that it was the furthest from his intention to express any sentiment in favour of those Associations. As he had said before, he had always steadfastly refused to have any thing to do with them. The reason that induced him now to interfere with the subject was, the hope of being able to point out the necessity of making what he would call a Protestant settlement of this question; for this there was an absolute necessity. He did not mean to cast blame upon any one; but he must say, that it appeared to him, that for many years, there had been no efficient, no real government in Ireland [hear, hear!]. He was quite willing to admit that that was the fault of nobody; but, on the contrary, resulted from the adherence to principle of

those individuals who collectively formed the British cabinet. In this extraordinary dilemma, one of two things must necessarily be the result: if they were to have a government in Ireland strong enough to act on any definite principle (whether that principle should be Catholic or Protestant), it was impossible that the British government should be sufficiently strong to act as the head; on the contrary, if the British cabinet comprehended such statesmen as were adequate to their task, it was incompetent, with that state of things, that their representatives in Ireland should act on any definite plan.—He would now mention the grounds which had induced him to change his course. The government in Ireland had laid the flattering unction to their soul that they should be able to manage matters so as “to give a triumph to neither party;” but the consequence had been, that they had accorded a triumph to every party, and had shrunk under their own weakness; the natural result of which had been, that they displayed nothing but deafness towards Protestant remonstrance on one hand, and blindness to Catholic violence, on the other. But, though the government of Ireland was, by the course it pursued, rendered thus feeble and undecided, another government arose, in which the real power of the country might be said to be vested—a government that arrogated every thing to itself, and that did not scruple to spread its power, by means of every possible ramification. He hardly need say, that he alluded to the Catholic Association, which for some time had exercised a higher and more powerful sway than any other government in that country. Whoever had watched what had been taking place in Ireland during the last few months—whoever had observed the course that had been pursued by that body—would find it impossible to deny that fact. This newly-created government had been moulded into the form of the purest democracy, but at the same time it was furnished with all necessary arrangements to carry on its machinery; it had its established church, which was connected with it in a manner that no other church had ever yet been connected with any government. It had its own separate army of tax-gatherers to collect its funds and supplies. It had its own system of finance—its own organised militia; and—that nothing might be wanting—it had its distribution of offices

and honours. All these things bore an extraordinary similitude to what took place in the time of Charles 1st, just before the breaking out of the civil war. There were two governments in England then, as there were two in Ireland now. The great question, then, was, what that House, under these circumstances, was to do?—what course it would be wise to pursue?—what steps it would be prudent to adopt? But, while they considered this, he begged to caution them that there was no change in affairs in Ireland; parties might appear to be quiet, but they were only resting on their arms, in expectation of what should next take place. Indeed, he did not hesitate to say, that things were as nearly as possible ripe for a civil war, and that it was difficult to tell how soon the first flames of it might burst out. There were, in his view of the case, three plans, one of which his Majesty's ministers would be compelled to adopt in their settlement of this most important question. The first was, to leave the result to the issue of a civil war, for such must be the inevitable consequence of interfering in no way; the second was a settlement of the Catholic claims upon Catholic principles; and the third was a settlement of those claims upon Protestant principles and upon Protestant policy. With respect, then, to the first he might safely assert, that no member of his Majesty's government could say that he would not deserve impeachment, if he suffered matters to proceed to such an issue; and, for himself, he would say, that he would not only not endure the responsibility of suffering such a result, but would necessarily consider it his bounden duty to do the utmost to prevent it. With respect to the second plan, he should always resist it; and, if any portion of the intended measure were founded upon such a principle, it could never have his support. He was, however, happy to have an opportunity of stating his conviction that, as the measure was placed in the hands of those with whom it now remained, the course that would be pursued would be essentially the reverse of this second plan; and he could not but regard the noble duke at the head of his Majesty's government, the right hon. secretary who represented the government, in that House, and the other members of the cabinet, as sufficient guarantees of a resolute determination to uphold the interests of the Protestant church. There

was not a member of that cabinet in whom he could not repose entire confidence; and he felt assured that their conduct would be guided by the deepest desire to preserve uninjured the Protestant church of Great Britain. He would not now enter upon that portion of the subject which related to the securities to be demanded and received. But he wished to call the attention of the House briefly to the difference between concessions upon Catholic and concessions upon Protestant principles. If the Roman Catholics were to be admitted into office, or to seats in that House, it ought to be required of them that their religion should in no way make its appearance in the discharge of the functions of that office; they should be required to shut their religion up within their own hearts—to leave the tenets of their church at the door of parliament, and shut that door upon it. If the question were to be looked at on the mere score of expediency, all past experience shewed that the discipline and doctrine of the Roman Catholic church were incompatible with the principles of the British constitution; and, therefore, though the Roman Catholics might at first be let in through good humour, yet he was fearful that it would be found before long that they were troublesome inmates. Thus much might be said on the ground of expediency alone; but he could tell the House, that the great majority of the people of England stood upon much higher feelings than that of expediency; and he earnestly entreated the House not to proceed any further, without examining into the nature and extent of the proposed measure. He would venture to predict, that the entire success of the measure depended on consulting those peculiar feelings, which arose from their having been taught from their childhood, that the Roman Catholic religion was vitally erroneous in its principles. He knew that there were persons who thought that all religions were equally good, and that there were others who thought them all equally indifferent. It might suit the taste of such individuals to see two churches essentially opposed to each other, co-existing and established together; that they might thus, as it were, neutralize each other. But such was not the wish of the people of England; nor was such his feeling. He would repeat his conviction, that it was absolutely necessary for his Majesty's government to interfere, and do some-

thing to avert the consequences which would otherwise result from the existing state of things in Ireland.

Mr. G. Dawson said, he rose with feelings of peculiar satisfaction to congratulate the House and the country upon the happy announcement contained in his Majesty's Speech. He looked upon the decision to which the House had last night come, as the most fortunate circumstance, the happiest event, that could be found recorded in the page of Irish history for a long period. He looked upon it as the dawn of the prosperity of Ireland, after her long night of misery and wretchedness. It afforded him the greatest pleasure to perceive, that at length that healing measure of concession was about being passed, which would introduce happiness and concord into his native country, develop her resources, awaken her latent energies, and enable her to take her proper station among the nations of the world. These were not new feelings in his mind. When last year the Catholic question was brought under discussion, he had taken no part in the debate. His mind had already begun to doubt, whether his further opposition to the Catholic claims would be justifiable. But he had to encounter a hard struggle against many and great difficulties. He was the representative of one of the most anti-Catholic counties in Ireland: by family ties he was closely connected with one of the most Protestant families in that country—a family that had been unfairly and cruelly persecuted by the Roman Catholics of Ireland. The doubts which had at that time flashed across his mind merely induced him to pause in his opposition to the Catholic claims; but, in the strict sense of the word, he was still unfriendly to them. In this state of mind he went to Ireland: and here he would declare firmly and sincerely, and he only asked for this declaration the credit which was due to the solemn asseveration of a gentleman—that he went to Ireland in the most perfect ignorance as to what might be the intentions of his Majesty's government on the subject of Catholic emancipation. He went to Ireland; and what did he witness in that country? Every man arrayed in a manner, against the members of his own family—every institution in the country perverted to the most pernicious purposes—every cabin turned into a scene of persecution, and all

classes of Irishmen marshalled in hostile clubs and associations. He saw that the spirit of faction had pervaded every quarter and every department; and he beheld injuries, and grand juries, and every other establishment in the country, perverted to its purposes. At that moment, and while he was under the impression of these feelings, there occurred, in the city of Londonderry, a celebration of one of the great Protestant anniversaries, at which he was called upon to attend. When he heard there sentiments uttered by a gentleman which, knowing the strong Protestant feelings by which he was actuated, appeared to contemplate nothing short of the total destruction of the Roman Catholics of the country, he could not, as an honest man, encourage those persons in the prosecution of what he considered the destruction of his Roman Catholic fellow-citizens. As an Irishman and a Christian, he felt it his duty not to sanction projects which tended to a civil war, nor to lend his aid to kindle the flame which the persons who then surrounded him appeared anxious to light up throughout the country. It was said, that he had been intimidated by the Catholic Association. No such feeling swayed his mind on that occasion. The power of the Catholic Association did not extend to the Protestant county of Derry, and he had nothing to fear from them there. But he was actuated by a fear of which he was not now ashamed,—a fear which became a loyal and a good subject,—a fear which, as an honest man and a Christian, he felt, lest the flames of civil war should be lighted up throughout his native country, and the blood of his fellow countrymen should, in the streets, and highways, be poured forth in a sanguinary and desolating warfare. Under these circumstances, he had attended this meeting in Derry, and delivered the speech which had since attracted so much animadversion. It appeared to him that the sentiments which he uttered upon that occasion were those of common sense. He thought that the time had arrived for a public declaration of those sentiments. Without the smallest knowledge at the moment, as to what was in contemplation in this country, he there publicly avowed his conviction of the necessity of conceding the Catholic claims, and he was determined to follow up that avowal by his vote in that House in their favour. He was therefore de-

lighted and gratified beyond measure now to find, that the sentiments which he then expressed proved to be also the sentiments of his Majesty's government. He was rejoiced that this question had been taken up by the government; being firmly convinced, that the concession of the Catholic claims would afford the best security for the maintenance of the Protestant church and institutions in Ireland; it would tranquillize the country, amalgamate its inhabitants, and open new sources of wealth and prosperity. These were his matured, and well-considered opinions. He was glad to find that similar opinions were entertained by his Majesty's government; and, whether he should continue connected with that government or not, they should have his most cordial support [cheers]. He trusted that the measure decided upon by the government would be introduced at once. For himself, his mind was made up on the subject; and he had already expressed his solemn conviction, that the claims of the Catholics of Ireland ought no longer to be delayed.

Mr. *Huskisson* said, that in rising to trouble the House with a few words upon this important question, he could not refrain, in the first instance, from expressing the feelings of delight and gratification with which he had listened to the eloquent and manly speech of the right hon. gentleman who had just sat down. The communication which had been yesterday made to parliament by his Majesty's government, considered in all its bearings, was, in his opinion, looking to all its consequences, the most important and the happiest event that had occurred in this country since the accession of the House of Brunswick to the throne of these realms. Standing in his place in that House, and having had the honour of a seat in it ever since the first agitation of the Catholic question, and anxious as he was for the success of that great question, it was with infinite delight and gratification, that he found his Majesty's ministers recommending it to the deliberate consideration of the House, and announcing their intention of bringing the question forward as a government question, and of course giving to it all that just influence and means of persuasion which belonged to the executive of this country. It had gratified him, as it had gratified many of his friends, that the person who now proposed this measure to the House, so pregnant with

the most beneficial results, was the individual who, from his first appearance in public life, had felt it to be his duty to give a sincere, a fair, and honourable, but at the same time an uncompromising and decided opposition to this question.—His right hon. friend, the member for the University of Oxford, in his speech last night, had very properly abstained from going into any explanation of the details of the great measure now placed in his hands. But looking at the communication from the throne, and at the sentiments expressed by his right hon. friend, he was satisfied that it was to be a measure of grace. As such he trusted it would be received by those for whose benefit it was proposed; and he further hoped, that it would be ample, liberal, and adequate to the great and important purpose for which it was intended. It was for such a purpose and with such a view that he, and those who voted with him on this question, had uniformly recommended this measure,—with a view (to use the words of the resolution which they had so frequently carried in that House) “to strengthen the connexion between the two countries, to increase the stability and security of the Protestant establishment, and to diffuse happiness and concord amongst all classes of his Majesty’s subjects.” He confidently hoped that such results would follow from the measure about to be proposed to the consideration of the House. At all events, it was a subject for congratulation, that the over-powering force of truth and justice, in this great intellectual struggle, had at length prevailed over what he might now be allowed to call long-cherished prejudices and errors. In the contest, which he hoped was now about to be concluded for ever, they had been long engaged. It had been a severe and a protracted contest. But every day and every hour, during which they had been occupied in this struggle, the cause had been increasing in strength, in proportion as it had been growing in importance; until at last it was admitted, that, it could no longer be left unsettled, without endangering the safety of the country—nay, until it was distinctly admitted, that all further opposition to it must be unavailing. In connexion with this subject, he could not but congratulate his noble friend (lord J. Russell) on the gratifying fact, that the generous principles of liberality, that the true principles of

religious liberty, were making a great and rapid progress in this country, and that, too, in quarters, where such an event was to be least expected. Why, not two years had elapsed, since his right hon. friend, the Secretary of State for the Home Department had said, in his place in that House, that he, for one, either in power or out of power, would strenuously oppose all and every concession to the Protestant Dissenters. But, in the very last session of parliament,—and he stated it to his right hon. friend’s honour—he assumed the character of a conciliatory moderator, with respect to that very question; and, with his sincere and effectual assistance, an arrangement was made that was satisfactory to all parties concerned in the operation of the Test and Corporation acts. He hoped that, in the present instance, his right hon. friend would be able, in the same manner, with equal success—he was sure that he would act with equal sincerity—to accomplish the repeal of all penal laws and of all disqualifying statutes, which militated against the Roman Catholic subjects, and that he would devise such measures as would perfectly satisfy those for whom they were intended, whilst they soothed and calmed any feelings of apprehension that might be entertained by others. The whole of the reasons, as stated by his right hon. friend on the preceding evening, which had induced government to undertake the consideration of this question, were of the greatest importance. Whether with reference to the inconvenience and danger of a continued conflict of opinion between the two Houses of parliament, or the baneful effects that must flow from a division of sentiments in his Majesty’s councils, or the mischiefs which must be generated by differences in the Irish government, arising out of dissensions here; and, lastly, the important consideration, whether it was possible to form a cabinet on the basis of permanent resistance to the Roman Catholics,—all these points were brought forward with clearness by his right hon. friend; and, in his reasoning upon them, as well as in the correctness of the facts adduced, he thought they must all concur. What his right hon. friend had said was perfectly in unison with the view which he (Mr. Huskisson) entertained with reference to the Catholic question. There was nothing new in what had that evening fallen from the hon. member for Louth, when he spoke

of the Catholic Association. Speeches were delivered last year by the right hon. member for Kerry, and by the Solicitor-general for Ireland, containing all the inferences which the hon. member for Louth had drawn. The words were not precisely the same, but his hon. friends had put the same arguments, with respect to the influence of the Catholic Association: the danger of its existence to the country was by them most strongly urged, and the remedy was clearly pointed out. Now, why did he advert to these things? Why, merely to observe, that these representations having made a proper impression on the minds of ministers, who had been hitherto opposed to any settlement of these claims, they were the strongest grounds for believing that they were sincere in their determination finally to settle this long-debated question. Perhaps he might regret that those impressions had not operated sooner on the mind of his right hon. friend [hear, hear]. He did not mean to say this with any of that invidious feeling which some gentlemen might attribute to the observation; he made the remark merely with reference to the importance of this question; for he would say, that if these impressions had been fortunately entertained before the present time, it might have been possible that a lamented friend of his (Mr. Canning), whose unceasing exertions, whose splendid eloquence, and whose brilliant talents had greatly contributed to forward and mature this most interesting question, both in parliament and in the public mind, might, perhaps, in the dispensation of an all-wise Providence, have been spared to witness the triumph of his labours;—might have been enabled in that House to discharge those duties, in bringing his labours to a close, which now devolved on his right hon. friend. He hoped his right hon. friend would not mistake the feeling under which he spoke. He was sure, after the statement which he had heard his right hon. friend make last year,—and in the sincerity of which, he, for one, entirely believed,—he was sure, after the sentiments which his right hon. friend then expressed, that he must have undergone a most painful struggle between his own personal feelings and the feelings of duty to his sovereign and to his country, before he determined to pursue the course which he had happily adopted. In taking such a step, his right hon. friend had, no

doubt, made a great public sacrifice; and he felt convinced that his right hon. friend could not believe that he had brought forward this topic from any unkind or uncourteous motive. Placed, however, as he was, before the House, he could not control this expression of his feeling. He looked forward to the future with confidence; and he entertained the most sanguine assurance, that the best results would be produced by the contemplated concessions. He wished not to allude farther to what had gone by, except to state his regret that his right hon. friend had not, at an earlier period, adopted the system which he now recommended. The hon. member for Louth had said, that he was very much disposed to support views on this subject which he did not formerly uphold in that House; and, that he was content to do this from the confidence he had in those who were placed at the head of the government, as their ardent feelings for the welfare of the Protestant establishment led him to think that it was better to place the question in their hands than in those of any other persons who might desire to bring forward this measure of concession. He was well aware of the warm attachment which was felt by his noble friend in another place for the established religion; he knew that his noble friend felt the strongest desire to insure the safety of that religion; but, while he admitted this, he must claim, for his right hon. friend now no more, and for himself, humble individual as he was, as great, as sincere, as powerful an attachment to the Protestant church as any member of the establishment could possibly feel. And, amongst other reasons, it was from a firm conviction, that the established institutions of the country would be more securely maintained by agreeing to these concessions than by opposing them, that he supported this question. When he before stated his sentiments on this subject, he had observed, that, while he was warmly attached to the Catholic cause, he disliked the tenets and doctrines of the Catholic religion. Such was still his feeling; but he conceived that in legislating on this question they had nothing to do with those tenets or doctrines. But it appeared that within a very short time the tenets of the Catholic church had ceased to be regarded by many gentlemen with that horror which they heretofore excited,—they seemed to have been sud-

denly converted [hear, and a laugh]. He could only attribute to some natural cause—to some strange influence of the atmosphere not well understood,—the very numerous and important conversions that had taken place since that day week. He had no doubt, however, that one day or other they should have some better explanation of the cause which had produced such extraordinary effects. He had no doubt that the impartial pen of history would do full justice to those causes which had led to such satisfactory results. It was not for him to attempt an exposition of those causes, and he could only join with others in expressing his gratification in witnessing results which were likely to confer so many and such lasting benefits upon the people of Ireland and of England. With these feelings, he was disposed to give his cordial support to the address, although it might be admitted, that it contained many things which he could wish had been omitted. He was not, for instance, prepared to admit that the Catholic Association ought to be described as the cause of the discord and ill-will which, at the present moment, prevailed in Ireland. In speaking upon that subject, he begged, however, that he might not be misunderstood. He fully agreed with that description of the Association contained in the Speech, where it was described as being inconsistent with the spirit of the constitution, dangerous to the public peace, and likely to obstruct every effort permanently to improve the condition of the people. It was, indeed, impossible to calculate the consequences which might ensue from the existence of such an Association, under different circumstances than those in which they were now about to be placed: but when they spoke of its creating and keeping up the ill-will which prevailed in Ireland, he must deny the correctness of the assertion. He would contend, that the Association was only evidence of the cause of ill-will, but was not the cause itself. In the language of one of the most eloquent advocates of Catholic rights, once the ornament of that House, but now deservedly elevated to the other (lord Plunkett), he might say that these perpetuations of discord and ill-will were “the spawn of our own wrong,” and could only be removed by the removal of those causes which brought them into life. It was, indeed, much to be wished that the

government could have been induced to wait the effect of the removal of those causes, before they had determined upon any legislative enactment with respect to the Association, and that they had permitted it to expire from the absence of a cause to give it excitement. But, be that as it might, he had an entire confidence in the good faith of the government, and was not at all disposed to offer any opposition to the bill for suppressing the Association, although it might not at once be accompanied by a measure of relief to the Catholics.—He did not wish to obtrude himself any longer upon the attention of the House, and he should therefore merely observe, with reference to other parts of the Speech, that the proceedings adopted towards Greece had his full and entire approval; and he was satisfied that every thing which had been done in the East of Europe, in conjunction with our Allies, had been done in the full spirit of the treaty of the 6th of July 1827, and that the exertions of the government of this country had been unceasingly directed to the establishment of the independence of Greece, and the prevention of the unnecessary effusion of blood. He remarked, that the language used in his Majesty's Speech at the opening of the present session, upon the subject of the blockade of the Dardanelles by the fleet of the emperor of Russia, was very different from the language used, in the last session, in the Speech delivered from the Throne at its close. At the close of last session it was distinctly declared to the House, that his majesty, the emperor of Russia, “had consented to waive the exercise, in the Mediterranean sea, of any rights appertaining to his imperial majesty in the character of a belligerent power.”* Now, it was understood beyond all question at the time, that the emperor of Russia had pressed his right to the exercise of this power, and that he had been induced to abandon it, solely on account of the urgent remonstrances of the government of this country. This he knew was the interpretation put upon the declaration in the Speech, and so it had been reported and considered by every mercantile man in the country; and he knew too, that the abandonment of this right was construed into a great boon obtained for our commerce by the successful interposition and

* See vol. xix. p. 178.

remonstrances of his Majesty's government. In the present Speech, however, it appeared that his imperial majesty had "considered it necessary to resume the exercise of his belligerent rights in the Mediterranean, and had established a blockade of the Dardanelles." Now he did not see how these two passages could be reconciled. He did not think that a party, who had given a consent of this kind, was at liberty to resume his authority without the consent of that other party, at whose instance, not six months before, he had announced his intention to abandon it. It might be said, that an objection of this nature was not very material; but he thought that every thing which concerned the honour and dignity of the country was of importance, and that it was very material to know there had been no departure from those principles, and from that course of policy, which our situation and our character bound us to maintain. With respect to that part of the Speech which alluded to Portugal, he considered it as giving rise to very reasonable dissatisfaction. He could not undertake, with his present information, to pronounce any opinion upon the nature of the relations which now subsisted between the two countries; but this he might say, that forming a judgment from appearances, he could not possibly reconcile either our present position, or our past transactions in Portugal, with the honour and dignity of the Crown, or with that course of policy, which, under the faith of many treaties, had always placed Portugal in such close and cordial alliance with this country. He had no doubt that much of this admitted of a full and satisfactory explanation; but he could assure the House and the government, that such was the light in which our conduct was viewed on the continent of Europe, by all those who had witnessed our forbearance to that person who at present filled the throne of Portugal, which throne he had ascended by one of the foulest usurpations recorded in history; and it was not the least painful, or the least extraordinary part of that transaction, that the person who had violated all those treaties was, at our own intervention, placed in that trust which he had so foully abused. He did not mean to press this topic further; but he hoped that, for the honour and dignity of the Crown, and the reputation of the country, the affair would be fully and satisfactorily explained. Mi-

nisters might be placed in circumstances of difficulty; they might be able to show that they had done their duty, and yet they might, for a season, have sufficient reasons for withholding explanation: but, when the proper time came, the House had a right to expect that a full disclosure of circumstances would be made.

Sir *J. Newport* said, that whatever joy he might feel at finding that a cause to which he had always adhered, and of which, during half a century, he had been the unshaken advocate, was likely to be crowned with that success which it deserved, still he did not rise to give expression to those feelings. His object in addressing the House was, as far as an humble individual could do so, to offer his advice to the members of the Catholic Association, in the hope that that advice would prove beneficial. He rose for the purpose of urging his earnest entreaty on the body called the Catholic Association, that they would, without waiting for any legislative acts whatever, forthwith dissolve themselves. Their own good sense would, he hoped, dictate to them the propriety of taking this step. He trusted that they would at once put an end to any jealousy on the part of their Protestant countrymen, and, by dissolving themselves, relieve the government from the necessity of bringing in a measure for their suppression. It would give him the most heartfelt satisfaction if they would adopt such a course and he firmly believed it would be done, as he had the highest confidence in the prudence and discretion of many members of that Association. He had only to add, that, whether the measure of relief to the Catholics should be preceded or followed by other measures, he hoped that what was given would not be given grudgingly, but that the boon which the legislature was about to confer upon Ireland would be imparted upon such a liberal and generous principle as would secure the gratitude of the Catholics, and prevent the necessity of any further legislation upon the same subject.

Mr. *R. Smith* said, he could state it as a positive fact to the government, that the opposition supposed to be felt by the people of this country to the claims of their Catholic fellow subjects was very much exaggerated. He was connected with a large and considerable county, and he could assure the House that many of the inhabitants—men who, all their lives, had

been opposed to Catholic emancipation—had expressed themselves to him as being willing to co-operate in any measure which government might propose to settle this question by concessions accompanied with proper securities: and they looked forward with anxiety to the time when government would take the business in hand. For his own part, he thought the satisfaction at the adjustment of this question would be great and general, he would almost say universal. It was also to him, on another account, a matter of heart-felt congratulation that the subject would soon be set at rest; for it had not only created public disunion, and embarrassed the proceedings of some of the most able public men, but it had made its way into private families, and created ill-feeling and disunion. The question threatened to produce implacable hatred throughout the country; but its settlement would banish all feelings of that description, and create, in their stead, religious peace and general tranquillity. That system which had drained the country of its resources would now cease, and the wounds which it had inflicted would be healed by those salutary balms—religious toleration and political equality. He thought that a great day had dawned both upon Ireland and England; and he was sure that the course which England had taken would speedily be rewarded by increased prosperity, and the unvarying attachment of the sister kingdom.

Lord Althorp said, he was extremely happy to find that this great question, so long an object of dispute, was at length to be arranged. He had wished, most fervently, during the whole time he had had a seat in that House, to see this question finally settled. He thought it was now placed in the proper hands. He, and those with whom he was in the habit of acting, had long felt that the best, indeed the only way of insuring the success of the question, was by its being brought forward by the government; but they never could effect that object, and therefore they were obliged to introduce it separately, and not in a manner so satisfactory as that in which it was now introduced. He thought the noble duke at the head of the government deserved great credit for the manner in which he had proceeded. With reference to a point which had been touched on, it would, in his opinion, be well to wait to see whe-

ther the concession would not at once put an end to the Catholic Association. If it did not, it would then be time for the government to put it down by force. But he hoped that the recommendation which they had received from their best friends, would induce them to disband themselves immediately, without waiting for any legislative enactment. If, however, a bill for putting down the Association should be persisted in, he hoped it would contain provisions so consistent with the spirit of a free country, and constitutional liberty, that he should be able to give it his support.

Mr. C. Grant said, he rose to express the deep gratification which he, in common with a great portion of that House, felt, in consequence of the Speech from the Throne—a speech the most truly patriotic, the most truly British, that had ever come before them. They were united in their vote of thanks for that Speech, and assuredly they ought to be so; for it was worthy of an enlightened monarch, who, listening to the representations of millions of his subjects, had recommended their case to the consideration of his parliament. He felt peculiar pleasure in thinking, that this great work was about to be perfected, in consequence of the representation of a sovereign who had felt personal sympathy for the Irish people—who had placed himself in personal contact with them. In his opinion, the thanks of every person interested in the welfare of the empire were due to the noble duke who had given such advice to his Majesty, and who, if this great object should be accomplished, would render the glorious victory of Waterloo a secondary portion of his fame. He wished sincerely that this great measure of relief might come before them without any incumbrance whatever—without any provisions connected with coercion. He thought such provisions were useless; because, in his view of the case, the best mode of doing away with the Catholic Association was by granting Catholic emancipation. A measure of a coercive character would seem to betray alarm or distrust, where, he was sure, none was felt, and might raise suspicion where there was perfect confidence at present; but if two measures were deemed necessary, he could wish them to be introduced simultaneously. The principles of the measure would be developed in its progress; and, reserving

to himself the right of investigating them at the proper period, he should be extremely reluctant to throw any thing like opposition in the way of this good work. He confessed that, when he saw the noble duke at the head of the government applying his mind honestly and vigorously to this subject, and when he saw him supported by the other members of the government, he felt very much disposed, with the reservation he had mentioned, to confide in the measures about to be introduced by his Majesty's ministers for the settlement of this great question; because he could not help believing that they meant to act fairly and justly. The settlement of this question would not be the triumph of one faction over another, nor the gain of this party at the expense of that; it would be a long-desired act of national justice—he had almost said of national piety. Such a subject should be approached with serious and sacred feelings; and, in considering it there should be not only the total absence of any thing like angry recrimination, but the exercise of liberal and enlarged benevolence, with the fullest intention of doing justice to Ireland, and of providing for the safety of the Protestant constitution of the country. If such principles were acted upon, a most happy result would be produced. He should envy the feelings of the duke of Wellington on the day on which this measure, to which so many eminent men had devoted their talents, should be accomplished. He should envy the feelings of the illustrious duke on the day on which the doors of parliament should be thrown open to welcome back the Howards, the Jerninghams, and the Talbots, to reclaim the ancient seats and assert the high station of their ancestors. There was one person more whose feelings he should envy: he should envy the feelings of the king of England, when after this measure had been accomplished, he should come down to meet the parliament of his free, united, and happy people.

Lord *F. L. Gower* said, it was not his intention to have trespassed on the House at the present moment, but that he felt himself called on to offer one observation upon what had fallen from his right hon. friend, and from other hon. members who had addressed the House. He alluded to what had been said with regard to the manner in which they wished his Majesty's

ministers to carry into effect the measures which were in contemplation with respect to Ireland. When such views as those now expressed by the government were entertained in such a quarter, and when such measures as those now projected for Ireland were promised, no man could be more inclined than he was to say, "stand not on the order of your going." He must however declare, that no part of the Speech from the Throne had been more grateful to him than that which recommended them to arm the executive government with powers to put down the Catholic Association. He by no means intended to put his humble and limited experience in competition with that of the right hon. gentleman who had just sat down, or with that of the right hon. gentleman who had preceded him; but, certainly, on the most deliberate view that he had been able to take, from his recent experience, he felt that this measure ought to be preliminary. He had hitherto been the advocate of the Catholic claims: that advocacy he had espoused, he trusted, with temperance, but he had always considered that the essential part, the *elixir vite* as it were, of any measure of concession, should be a due protection of the Protestant interests and a respect for the Protestant feeling in Ireland. He conceived, that any such measure of concession should be accompanied with a distinct pledge to the Protestants, of ample protection, and of avoidance from the future operation of those consequences of which the Catholic Association had been productive. He was ready to admit that the evils to which he alluded, and which he wished to see removed, had arisen from the state of the law. He admitted that the law as it stood, was in opposition to the interests of a great portion of his Majesty's subjects in Ireland, Protestant as well as Catholic; but still it was possible that those evils might continue, even after the cause which produced them had been removed. It might be true, as it had been conjectured, that the Catholic Association would expire of itself; but if it did, still such measures should be taken as would prevent the possibility of "resurgam" being written on its tomb.

Lord *John Russell* said, he differed on this point from the noble lord who had just sat down. For his own part he thought it would have been better for the government to have said to the

Association, " You profess to associate for the purpose of effecting the removal of certain disabilities ; we have removed them, and you have therefore no longer any right or pretence to continue your meetings." If, after this, the Association had persisted in assembling, then he was sure there would have been a general concurrence, on the part of the House, to grant to the executive such powers as should enable them to put it down. There could be no doubt that this Association was irreconcilable with law and authority. It was a self-appointed government, thwarting and controlling the real government of the country, and of which any person might become a member by paying a subscription of a few pounds. He certainly should have given all his assistance towards putting down the Association, if he found that they did not dissolve immediately upon the removal of the cause which had brought them together. At the same time, however, they must consider that a very great step had been gained. The intention of government had been fully and explicitly declared. He confessed that he was much more sanguine than the right hon. Secretary, with respect to the consequences of the projected measure. He believed it was pregnant with incalculable benefit to Ireland, and security to the state. This being his conviction, he was unwilling to offer any obstacle to the progress of the measure. His Majesty's ministers having investigated the subject, and fully considered all the difficulties by which it was surrounded, had come to a determination in which most other persons probably would have concurred, if they had been in possession of the same means of information, and, therefore, it was his wish that he should not be compelled to offer a single negative to their propositions. Unless the proposed measure contained something very different from any thing that he could conceive it would contain, his wish would be gratified, and in none of its stages should he be found in the character of an opponent. The right hon. member for Liverpool had expressed regrets—which were extremely natural on his part, and for which he was to be honoured—that this important measure had not been agreed to during the lifetime of Mr. Canning. The gratification with which that eloquent and able minister would have hailed this event, justified the right hon. gentleman in the sentiments which he had expressed ; but,

for his own part, he was unwilling to enter into such considerations. The fact, that a consideration of the state of Ireland in past years had not produced the conviction which it had now effected, did not diminish the joy which he felt in discovering that a consideration of the state of Ireland in the year 1829 had convinced ministers of the necessity of a measure which had so long been called for ; and he honoured them, inasmuch as they had preferred exposing their characters to that obloquy which always attached to a change of opinion, rather than expose their country to peril. He confessed he was the more pleased with this result, because he had long formed an opinion which time had served to confirm, that the success of this great question mainly depended upon its being made a government measure. There had been so many persons in authority adverse to the claims of the Catholics ; measures in favour of the Catholics had found so many opponents in the other House of parliament ; there was, moreover, in the people of this country so great a jealousy of any measure on the subject introduced by an individual member ; and, lastly, it was impossible that any member unconnected with government should propose a measure which would be satisfactory to the church, and to the numerous interests connected with it. These were the considerations which had convinced him, that, until the Catholic question was made a government question, it could not succeed. He had, indeed, hoped that the repeated votes of that House would, at some time, force the government to take up the question ; but with this hope there was joined in his mind a fear which, as it was not on personal grounds, he was not ashamed to avow. He confessed he had feared that events in Ireland would proceed faster than the legislation of that House ; that the narrow isthmus between great endurance and resistance would be broken down ; and that they would be plunged into a struggle, in which victory would have proved one of the most dreadful calamities that could befall a nation. This fear—not for himself, but for the safety and welfare of his country—had sunk deep into his mind, and he hailed, therefore, with the most heartfelt joy, the measures which the government had determined to adopt. He was quite sure the time was now at hand when the duke of Wellington would find that, in the judgment of his country

the most unfading laurel in his crown was the act by which he had restored equal liberty to all classes of his Majesty's subjects.

Mr. Secretary *Peel* said, he should postpone the few observations which he had to offer on the principal subject of the Address, until he had noticed one or two topics which had been adverted to in the speech of his right hon. friend the member for Liverpool. His right hon. friend appeared to think, that there was an inconsistency between the Speech lately delivered from the Throne, and that which had been addressed to the parliament at the close of the last session. His right hon. friend appeared to think, that what was said in the former respecting the belligerent rights of Russia in the Mediterranean differed from the expressions which had been used respecting the same rights in the latter. He thought, however, that if his right hon. friend would look at the whole of the statement on this subject in the Speech of his Majesty at the close of the last session, he would find that what had been said there was quite reconcileable with the expressions lately used. The chief point upon which his right hon. friend insisted, was the use of the word "consent." His right hon. friend supposed that the word "consent" implied that there had been some formal negotiation with Russia, the result of which was, that she had waved rights which she had now resumed. The words of the Speech, at the close of the last session, were these:—"His Imperial Majesty has consented to waive the exercise in the Mediterranean Sea, of any rights appertaining to his Imperial Majesty, in the character of a belligerent power, and to recall the separate instructions which have been given to the Commander of his naval forces in that Sea, directing hostile operations against the Ottoman Porte. His Majesty will therefore continue to combine his efforts with those of the King of France and his Imperial Majesty, for the purpose of carrying into complete execution the Treaty of London." Now the fact was, that they, being parties to the treaty of the 6th of July, found that many difficulties occurred to them, as neutrals, from the separate instructions of his Imperial Majesty, directing hostile operations against the Porte. They stated that to Russia: she withdrew her separate instructions, and

they, preserving their position of neutrality, were enabled to act as a party to the treaty. It would be seen, then, that there was nothing to prevent the resumption, on the part of Russia, of her belligerent rights in the Mediterranean Sea, when she should find it necessary to resume them; but then they, of course, had a right, as neutrals, to withdraw as soon as those belligerent rights should be resumed. "Consent," therefore, as used by his Majesty, was a proper term, and by no means necessarily implied that there had been any formal negotiation. It was strictly a consent, and nothing more, to waive belligerent rights, by which they were enabled to carry on the treaty of the 6th of July. The terms, therefore, of the two Speeches were perfectly reconcileable. With respect to Portugal, his right hon. friend had, with great propriety, abstained from pressing that topic for the present, and he must be allowed to follow the good example. He would merely observe, that, admitting the usurpation of the government of Portugal to have been most unjustifiable, and the internal dissensions of that country to have been most unfortunate and distressing, yet that, unless his Majesty's ministers had been prepared to take a part in those internal dissensions, they had only one course open to them. That that course had not only not been neglected, but that it had been properly pursued, he had no doubt that he should be able, at a proper opportunity, to satisfy the House. With respect to the observations which had been made upon him and upon the government on the subject of Ireland and the Catholic question, they had by no means surprised him. He would, however, declare, once for all, that as far as he was concerned, the recommendation of his right hon. friend the member for Invernesshire, should be attended to, and all angry discussions, invectives, and recriminations be avoided. Now that he had undertaken that most important, most difficult, and to him, most painful task, he would devote his best exertions to carry it to a successful issue. No reproaches from those hon. friends of his with whom he had so often acted, and for whom he retained the most cordial respect—no opposition on the part of those whom he had been in the habit of meeting as opponents—should betray him into the expressions of angry feelings. He had undertaken the task, and he

would endeavour to bring it to such an issue as should secure the safety of the Protestant interests of the country, and satisfy the hopes and expectations of every reasonable Roman Catholic. He was not surprised at the feelings which had been expressed by his right hon. friend, the member for Liverpool. At the early part of last year he had embarked with his right hon. friend in a government, in which the Catholic question was perfectly open, each member of the government being at liberty to express what opinions he pleased upon it. It was, perhaps, unwise in both of them; but they thought that they might continue in the service of the Crown, without abandoning the principle which had been acted upon for so many years in the formation of administrations. The House having declared in favour of concessions to the Roman Catholics, he said nothing at the time; but he had found that this principle could no longer be maintained in the government, and he had taken an early opportunity of stating, in the proper quarter, that this was his impression. It was the deliberate conviction of his own mind, and in expressing it he had stated, that he was ready to remove any obstacle which might arise from his remaining in office. He ought, perhaps, to have seen this at the beginning of the session, but new events forced the fact upon him, and he took the first opportunity of stating his conviction, and, as he had before said, expressed his readiness to remove any obstacle which might arise from his continuing in the service of the Crown. He went farther.* In the present state of the country, more importance had been attached to individual resignations than would arise from such occurrences under other circumstances and in other times. After full and deliberate consideration, he expressed his readiness to relieve the government from the obstacle which, it was stated to him, would arise from his retirement. He understood it had been supposed that he had said, that in August some measures connected with the subject of the Catholic question were under consideration by the cabinet, and that he communicated upon them with his noble friend at the head of the government. This was a mistake. The communication which he had made to his noble friend related to his own individual views, and was made to no other person. His noble friend had said in his speech, in the House

of Lords, that he did not despair of seeing a satisfactory adjustment of the Catholic question. He had said to his noble friend, in reference to this, "I think you are right, but my situation is very different from yours, and I will retire." This was all; and he had made the communication to no other individual but his noble friend. He had stated last night, that feeling that his retirement would throw difficulties in the course of the government, he had determined to act upon that advice which he had felt that it was his duty to give to his Majesty. He could very well understand why he was reproached for this discharge of what he conceived to be his duty, by his hon. friends, who thought his present conduct inconsistent with his former views and declarations. He did not blame them. He would only say, that if they were in possession of the information which he was in possession of with respect to the state of society in Ireland, he firmly believed, that they would come to the same conclusion with himself; namely, that the government could no longer remain neutral, leaving two parties to fight out the battle between them, but was compelled at length to act, and that, too, in such a manner as they believed most likely to preserve the interests of the Protestants, and to conduce to the welfare of the country. If his hon. friends were in the possession of this information, he believed they would see that no stable government could be formed on the principle of eternal and uncompromising resistance to the Catholic claims. Such, at least, was the conclusion to which he had arrived, and to such a conclusion he believed his hon. friends who now reproached him, would have come also, if the same information had reached them. The only course, then, which remained, was for a responsible government carefully to deliberate upon this subject; to decide as ministers of the Crown, what ought to be done, without any negotiations with, or reference to the parties; and then to submit the result of their deliberations to the parliament, calling upon it to sanction that which, under all circumstances, was, in their opinion, the best that could be done.

Mr. Huskisson assured his right hon. friend, that in expressing regret that this question had not been carried in the lifetime of a lamented friend of his, he did not mean to convey the slightest reproach

on him for not having sooner conformed to the conviction to which he had now come. He sincerely believed that his right hon. friend would be most serviceable to the carrying of the great question, as, from his influence, he was admirably calculated to conciliate jarring interests, and to win over opposition that might come from other quarters. As an illustration, he had referred to the mediatorial part which his right hon. friend had borne last session, in reconciling the country to the repeal of the Test and Corporation acts; and he expressed a hope, that he might render a similar service in the framing of a measure of Catholic concession.

Mr. Secretary *Peel* said, that in referring to the reproaches with which he had been visited on account of the change in his opinions, he did not allude to his right hon. friend, but to the speeches of other members. The only part of the speech of his right hon. friend to which he referred, as connected with his conduct, was that in which his right hon. friend appeared to express an opinion, that the principle of neutrality in the cabinet ought to have been abandoned sooner than it had been.

Mr. *Huskisson* repeated his assurance of intending to convey no reproach of any kind whatever on the conduct of his right hon. friend.

The Address was then agreed to.

HOUSE OF LORDS.

Monday, February 9.

ROMAN CATHOLIC CLAIMS—PETITIONS FOR AND AGAINST.] Numerous petitions were presented for and against further Concessions to the Roman Catholics.

The Earl of *Winchelsea* gave notice, that he would on Friday next, present the petition against the Catholic Claims, agreed to at the late public meeting at Penenden Heath. He wished to know from the noble duke at the head of the government, when it was his intention to present a petition, signed by ten thousand persons against any further Concession to the Roman Catholics, from Bolton-le-Moor?

The Duke of *Wellington*.—"I will present the petition now." The noble duke accordingly presented a petition from Bolton-le-Moor, one from Lanark, and one from Hull, against any further concessions

to the Roman Catholics; and one from the Catholics of Edinburgh, praying for Catholic emancipation.

The Earl of *Eldon* presented eighteen petitions against Catholic emancipation. He said, that the petitioners all expressed their belief that the admission of Roman Catholics to political power was contrary to the principles of the constitution, and dangerous to the Protestant institutions of the country. He thought that noble lords, in presenting petitions, had better confine themselves to a statement of the prayer of the petition, and not take up the time of the House with an exposition of their own opinions.

Lord *Holland*, on presenting a petition from certain Protestant Dissenters in South Shields, praying for a repeal of all laws imposing political disabilities for religious tenets, said he would conform as much as possible to the advice of the learned lord. The petitioners belonged briefly to that enlightened body known by the name of Protestant Dissenters, in whose favour their lordships had, last session, performed an act of tardy justice. All the petitions from that body breathed the same spirit of gratitude for the benefits conferred on themselves, and of anxiety that those benefits might be extended to their fellow-subjects of all denominations. It must be satisfactory to their lordships, who had done so much good for the petitioners, to hear that good gratefully acknowledged; and it must be gratifying to the advocates of the Dissenters to learn, that their clients did not stop at the redress of their own grievances, but were zealous in the endeavour to participate their own political advantages with all classes of the community. But, in praying for the extension of the blessings of civil and religious liberty to their fellow-subjects, he thought he did not go too far in saying, that they pointed particularly at their Roman Catholic brethren, as fit objects for their lordships' liberality and justice. For himself, he was happy that measures which some five-and-twenty or thirty years ago he had recommended to parliament, were at length about to be brought forward by those whom he always considered to be the fittest instruments of their success. Since that time he had contended, year after year, in favour of the great principles of civil and religious liberty; but the day had at length come, when their lordships had consented to take the great

question of Catholic emancipation into their serious consideration. He was sure that the intelligence would be a source of the greatest satisfaction to every enlightened mind in the empire, as the measure itself would be a source of tranquillity and prosperity to the empire.

The Earl of *Eldon* said, he by no means denied the right of every noble lord to state what opinions he pleased, on presenting a petition. What he meant was, that he thought it would be a desirable course of proceeding if noble lords confined themselves to an exposition of the prayer of the petitions they were presenting; or, at all events, made the leading sentiments of the petition the heads as it were of their speeches. With respect to what had fallen from the noble baron regarding the toleration principles of the Dissenters, he begged leave to remind their lordships, that he had last session, though with a different purpose, maintained similar opinions. He had then foreseen the consequences to the religious and civil establishments of the country, that would arise from admitting the Protestant Dissenters to a full participation of the blessings of the constitution. He had then predicted, that the moment the Dissenters got themselves in, they would endeavour to bring in the Catholics; but many of their lordships said, not at all. Even spiritual lords maintained the thing to be impossible. Did they think so now? At that time, the Dissenters advertised in the public journals, that they would not join with the Catholics, but would limit their exertions to a repeal of the Test and Corporation acts. Nevertheless, they did not dissolve their committee, until they had passed a resolution for a repeal of all laws imposing disabilities for religious opinions; and in that spirit they were now applying to the legislature in favour of the Roman Catholics. All this was as he had foreseen and foretold. He had then stated it decidedly as his opinion, that it was the solemn duty of the government to support the best system of Christianity; and that the best mode of ensuring the best system was by connecting the religious establishment with the state, and making the integrity of one a part of the integrity of the other. To the rendering of that integrity unirksome, care should be taken that there should be no drawback from an enlightened and enlarged toleration of the opinions of others; at the same time, in

preserving that integrity, care should be taken, that no fatal innovations should be made in the fundamental laws of the constitution. These were his early, his matured, and his unchangeable opinions.

Lord *Holland* assured the learned lord, that the Protestant Dissenters never had held but one opinion, and one line of conduct. He thought it due to them to state, that their wide advocacy of the great principles of civil and religious liberty was perfectly consistent with their conduct and opinions, before and since the repeal of the Test and Corporations acts.

The Bishop of *Bath and Wells*, on presenting similar petitions from several parishes in Somersetshire, observed that other petitions equally hostile to Catholic emancipation, would be presented from almost every parish in his diocese. After the maturest investigation, his own opinions remained unchanged; it was his honest conviction, that it was not possible to give further political power to the Roman Catholics, without endangering the Protestant institutions of the country. He hoped that ministers would pay equal attention to the petitions of the Protestants of England, with that which they had paid to the petitions of the Catholics of Ireland, the rather, as the former were couched in the language of humility and supplication, free from imperious dictation.

The Bishop of *Durham* said, he would take advantage of the occasion of presenting a similar petition from a parish in Durham, to state that his opinions as to the policy of opposing the admission of the Roman Catholics to a full share of the benefits of the constitution were unchanged; and that he was convinced, after the maturest deliberation, that the Catholic Religion, by its very nature, precluded its professors from affording a satisfactory security in a Protestant state. He was anxious to give this public expression of his deliberate opinions, as it had been insidiously rumoured, that he had become an advocate of concession.

The Duke of *Richmond* presented a similar petition from Sussex. Notwithstanding the marvellous events of the last week, his opinions—perhaps they should now be called prejudices—against Catholic emancipation, were and would continue unaltered.

The Duke of *Newcastle* said, he had a similar petition to present from Nottingham. Before he did so, he wished to

make a few observations upon a declaration made by the noble duke at the head of the government a few nights since, with reference to the feeling of the people of England in relation to the Catholic claims. The noble duke then stated in his place, that the majority of the people of this country were favourable to a repeal of the penal laws against the Roman Catholics; that is, were in favour of the contemplated measure of the noble duke. Now, after minute inquiry, he had arrived at the opposite opinion, and was convinced that the people of England were not only decidedly hostile to Catholic emancipation, but decidedly favourable to Protestant ascendancy. The noble duke here paused for a few moments. After a few ineffectual attempts to recollect himself, he said that what he had intended to say had vanished from his memory, but that he would take another opportunity of submitting his opinion to their lordships.

Lord *Holland* did not think the noble duke had any right to assume, that any petition which he presented from certain parishes expressed the opinion of the people of England. He was old enough to remember when any person who ventured to imply that there was a difference of opinion between the people and the House of Commons would have been considered guilty of something very little short of treason. Now, he had never concurred in this doctrine, and God forbid, with the principles which he had ever held, that he should; but, when they were told that a petition from this parish or that village represented the sense of the people of England, he was inclined to reply, in the language of Wilkes, who, when he was told that the sense of the country was against him on some question, replied, "Do you take the sense and I'll take the nonsense, and I have no doubt I shall beat you." A petition coming from any particular parish or village presuming to state that the opinions expressed in it were those of the people of England, was very irregular. It was quite right that the petitioners should approach parliament with a temperate expression of their own opinions, but absurd for them to arrogate to themselves the privilege of representing to the legislature the opinions of their fellow-subjects upon this or any other question.

The Duke of *Newcastle* said, he was not aware that the petition assumed to

express the sense of the people of England. What he meant to state was, that it was in accordance with the sentiments of the people of England; and he had no doubt, if sufficient time was allowed, that the sense of the people of England would be expressed in such a manner as to leave no doubt as to the public feeling, with respect to the proposed concessions to the Catholics.

Lord *Holland* said, that if the noble duke would stick to prophecy he might be quite right. The people of England might express their opinion in the way which the noble duke anticipated; but, to say that a petition from any particular parish expressed the sense of the people of England, was unparliamentary and extremely unusual.

Lord *Bexley*, in presenting a similar petition from Harwich, observed, that he could not present this petition from his old constituents without stating that he still adhered to his opinions on the subject of the Catholic claims. The atmosphere of conversion had not yet reached him.

Viscount *Lorton* said, he had been called upon to present a petition from the bishop and clergy of the diocese of Killala, &c. praying that no further concessions might be granted to the Catholics. This was one of the first petitions that had been brought under their lordships' consideration at the commencement of this eventful session, and, as it was in defence of the church and state, which must rise or fall together, he sincerely hoped it would be followed up by every diocese in the United Kingdom; and thus it would be manifest, that our bishops and clergy were, in a constitutional manner, the zealous, efficient, and uncompromising guardians of the true Catholic church.

PORTUGAL.] Lord *Holland* rose for the purpose of putting a question to the noble earl at the head of the Foreign Department, respecting our relations with Portugal. He was so unfortunate as not very clearly to comprehend what fell from the noble earl, on this subject, on a former occasion. He had understood the noble earl, however, on the first night of the present session when adverting to this subject, to say, that he should be glad, when an opportunity occurred, to enter into a full explanation of the conduct of ministers with regard to our relations with Portugal. He supposed the noble earl was himself

most anxious to bring forward this subject, with a view of relieving the members of his majesty's government from the charges brought against them, with respect to the line of policy adopted by this country towards Portugal. He did not know whether the anxiety of the noble earl was to meet the charge of abetting or conniving at the usurpation of Don Miguel, or the other charge of commencing hostilities against the innocent subjects of the young queen, Donna Maria da Gloria. No man could state that such a course of proceeding did not require explanation. Their lordships had heard two successive Speeches from the throne holding out hopes that the mediation of his majesty would lead to an amicable arrangement of the internal affairs of Portugal. They were now told, however, that, as regarded one party, our diplomatic efforts were not only unsuccessful, but that all diplomatic intercourse had been entirely suspended; and we had, apparently at least, commenced hostilities against the other party. He said "apparently," for no official announcement had yet been made to that effect. He made these observations in no hostile spirit towards his majesty's ministers; but the subject called for explanation, and, in his opinion, it would be unbecoming in parliament not to evince some anxiety on a subject so closely connected with the interests of our oldest ally. He hoped that the noble earl would shortly be able to lay full information before the House, in explanation of the course adopted by government in relation to Portugal; and that this information would be such as would enable him and other noble lords, to come to a favourable opinion on the line of policy which had been pursued, and the negotiations in which we had been engaged. In conclusion, he begged to ask the noble Secretary whether it was his intention shortly to lay before the House any papers connected with the relations between this country and Portugal?

The Earl of *Aberdeen* said, it was not the intention of government to lay any papers before parliament at the present moment respecting the affairs of Portugal, or the relations between the two countries. His majesty had already informed the House, that he was then engaged in negotiations with the head of the House of *Braganza*, in the hope of terminating the unfortunate discords of Portugal, and putting an end to a state of affairs incompatible

with its prosperity. That being the case, noble lords must perceive that it was utterly impossible, during the continuance of that negotiation for his majesty's ministers to lay upon the table of the House papers, in explanation of the precise state of it. The course of his majesty's government was clear and distinct: upon that point they had no alternative. If, however, the noble lord thought proper to move for papers calculated, in his opinion, to throw light upon the subject, he should be ready to produce them, if it could be done without injury to the public service. With respect to the other event adverted to by the noble lord, government had received no official information to enable them to satisfy the inquiries made upon the subject. No doubt the fact as reported had occurred; but under what circumstances government as yet was wholly without information. At the same time it was fair to admit, that the instructions under which the officer in question must have acted, contemplated the possibility of such an attempt being made by the Portuguese, and provided for its frustration; and he was fully prepared, if the occurrence had taken place as stated, to prove that no charge of blame could attach to his majesty's government, in consequence of what had happened. So far, indeed, from that being the case, he was most ready and desirous to explain and justify any share which government might have had in producing the event. It would appear, at the proper period, that not only was his majesty's government fully justified in the line of conduct it had adopted on this occasion, but that there was no other course left it to pursue; and that that course was not only just and proper, but necessary and indispensable.

Lord *Holland* said, he was not satisfied with the reasons adduced by the noble earl for refraining from bringing forward the information desired. The noble earl had told him, that he was at liberty to move for information on the subject, and that it would be granted, if not inconsistent with the public service. During the last session he had been told, with great plausibility, if not with great reason, that it would not be fair for him to select any particular paper, and call for its production, but that he was bound to wait until his majesty's ministers laid some information before parliament. He was now informed, however, that they did not in-

tend to lay any information before parliament on this important question. Under such circumstances, in ordinary cases, he should be inclined to name a day for a motion on the subject; but he still hoped that parliament would institute an inquiry. For his own part, he would not at present give any notice, for several reasons. One reason was, that he hoped the task would devolve on a noble friend more competent to do justice to it than he was; and another reason was, that just now, when men's minds were so entirely absorbed in another important question, he did not wish to put himself into any thing which might appear like an attitude of hostility to a government engaged in a work which would conduce more to the welfare and happiness of the people of this country than any which had been effected for many years. Feeling, however, as an Englishman, and as one who took a deep interest in the affairs of Portugal, he could not hear of the heart-rending occurrence which had taken place at the island of Terceira, without earnestly calling on parliament to institute an immediate inquiry into the transaction.

HOUSE OF COMMONS.

Monday, February 9.

MINUTES.] Mr. HOBHOUSE presented a petition from the Inhabitant Householders of St. James, Westminster, complaining of the misappropriation of the parochial funds by the Select Vestry. He said it was his intention, in the course of the Session, to bring in a bill for the Regulation of Parish Vestries.—On the motion of Mr. Leake, it was ordered, that the petitioners against the return of Daniel O'Connell, esq. for the county of Clare, be at liberty to question the said Election and Return by the renewal of their Petition (which was depending before the House at the end of the last session, within the next three sitting days.

CONVENTION FOR THE SETTLEMENT OF THE CLAIMS ON SPAIN.] The Chancellor of the Exchequer presented by command of his Majesty, the following

CONVENTION between his MAJESTY and the CATHOLIC KING, for the Final Settlement of the Claims of British and Spanish subjects, under the Convention concluded at Madrid, March 12, 1823.

His Majesty the King of the United Kingdom of Great Britain and Ireland, and his Majesty the King of Spain and the Indies, being equally convinced of the great and almost insuperable difficulties that have presented themselves in carrying into effect, by means of the mixed commission appointed under the Convention

concluded on the 12th of March, 1823, the stipulations of the said Convention, respecting the claims preferred by subjects of both nations, —have considered that the most speedy and efficacious manner of obtaining the objects which their Britannic and Catholic Majesties proposed to themselves in framing the Convention above-mentioned would be that of a compromise, or amicable adjustment, in which their said Majesties, by common consent should assign fixed and proportionate sums for the indemnification of the claimants of both countries, so that each of the two high contracting parties should possess the power of adjudging and satisfying the legitimate claims of its own subjects, out of the sums which each government should, for such purpose, receive from the other, or of distributing those sums among the individuals interested, by means of an arrangement mutually agreed upon.

With this view their Britannic and Catholic Majesties have nominated and appointed as their respective plenipotentiaries, namely:—His Majesty the King of the United Kingdom of Great Britain and Ireland, the right honourable George earl of Aberdeen, viscount Gordon, viscount Formartine, lord Haddo, Methlick, Tarvis, and Kellie, a peer of the said United Kingdom, a member of his Majesty's most honourable Privy Council, knight of the most ancient and most noble order of the Thistle, and his said Majesty's principal Secretary of State for Foreign Affairs; and his Majesty the King of Spain and the Indies, his excellency don Narciso de Heredia, count of Ofalia, actual knight of the royal Spanish order of Charles 3rd, knight grand cross of the American order of Isabel the Catholic, and of the legion of honour of France, councillor of state, and his said Majesty's envoy extraordinary and minister plenipotentiary on a special mission to the court of his Britannic Majesty; who, after having communicated to each other their respective full powers, found to be in due and proper form, have agreed upon and concluded the following articles:—

Art. I.—His Catholic Majesty engages to make good to his Britannic Majesty the sum of 900,000*l.* sterling, in specie, as the amount of the whole of the English claims presented to and registered by the mixed commission, established by the Convention of the 12th of March, 1823.

Art. II.—His Britannic Majesty engages to make good, in the same manner, the sum of 200,000*l.* sterling, as the amount of the whole of the Spanish claims, presented to and registered by the mixed commission, in pursuance of the said Convention.

Art. III.—It shall be lawful for either of the high contracting parties to cause to be adjudged within its respective territory the claims of its own subjects, in order to satisfy, within twelve months from the date of the exchange of the ratifications of the present Convention, such claims as shall appear to be just and legitimate, out of the sums which one of the high contract-

ing parties shall receive, for this purpose, from the other; or it shall be lawful for the government of either of the said high contracting parties to agree with the persons interested, or their assigns, upon any other mode of arrangement which may be deemed most expedient for satisfying them within the same term, without the necessity of any previous and formal adjudication.

Art. IV.—The government of his Britannic Majesty shall retain in its possession the sum of 200,000*l.* sterling, which, by the second article, is to be made good to Spain, in order to set that sum against, or deduct it from, the 900,000*l.* sterling which it is to receive from the same; but it is expressly declared that this compensation is stipulated on the understanding that his Catholic Majesty, within the period specified in the preceding article, shall pay to his own subjects the amount of their legitimate claims against England, preferred under the Convention of the 12th of March, 1823, in specie, or in other effective value; and in such a manner that his Britannic Majesty may be exempted from every responsibility for the amount of such claims.

Art. V.—His Catholic Majesty shall effectuate the payment of the 900,000*l.* sterling, in satisfaction of the English claims, by instalments, in the following order:—

Two hundred thousand pounds sterling shall be delivered over on the day on which the exchange of the ratifications of the present Convention shall take place; and another like sum at the expiration of three months from the exchange alluded to.

The compensation mentioned in the preceding article shall be considered as the payment of 200,000*l.* sterling more; and the remaining 300,000*l.* sterling shall be made good by two instalments, at the rate of 150,000*l.* sterling; the one at six months, and the other at nine months, from the date of the exchange of the ratifications.

Art. VI.—The two last instalments of 150,000*l.* each his Majesty reserves to himself the power either of paying up in specie, at the time of that sum falling due, or of effectuating the payment by certificates of inscriptions in the English and Spanish language, expressing the purpose for which they are issued, bearing interest at five per cent per annum, payable half-yearly in London, at fifty per cent discount.

For this purpose, his Catholic Majesty shall, within three months from the date of the ratifications of this Convention, cause the sum of 60,000,000 of reals of vellon, in such inscriptions (being equal, at 100 reals to the pound sterling, to the sum of 600,000*l.* sterling), to be lodged in the Bank of England, or with the banker of the court of Spain in London, with instructions to deliver one-half of them to the government of his Britannic Majesty, for the use of the claimants, on the day of each of the said instalments falling due, provided they shall not be punctually paid in sterling money.

It is likewise hereby agreed that the govern-

ment of his Catholic Majesty shall have the power of redeeming the inscriptions thus created, during the four years succeeding, and upon giving six months notice, at the rate of 55*l.* for every 100*l.* so delivered. After such period of four years, the Spanish government shall only possess the power of redeeming the inscriptions referred to at the rate of 60*l.* for every 100*l.*

Art. VII.—His Catholic Majesty shall be at liberty to effect the payment of the second instalment of 200,000*l.* sterling mentioned in article V., by delivering, on its being due, 50,000*l.* in ready money, and 150,000*l.* in inscriptions at fifty per cent., making 300,000*l.* in inscriptions; but this arrangement is only to take place on the express condition that the payment of one of the two last instalments of 150,000*l.* sterling, mentioned in article VI., shall be made in ready money.

Art. VIII.—The inscriptions to be delivered by the government of his Catholic Majesty shall be, in all essential points, according to the form which is annexed to the present Convention.

Art. IX.—As soon as the said sum of 900,000*l.* sterling shall have been paid, all the bills of exchange, libranzas, and other documents, forming and constituting the value represented by the aggregate of the English claims against Spain, shall be given up to the government of his Catholic Majesty.

Art. X.—There shall be given up also, on the part of the government of his said Catholic Majesty, at the period specified in the preceding article, all the documents relative to the Spanish claims against England.

Art. XI.—To prevent any of those claims which shall be satisfied by the present Convention from again being produced under any other form or pretence, it is hereby agreed that the mixed commission appointed under the aforesaid Convention of the 12th of March, 1823, shall, prior to the cessation of the exercise of its functions, add to the lists already formed of the English and Spanish claims, presented to and registered by the same, such notes or remarks, relating to the documents in support of those claims, as may be deemed necessary, in order that the said lists and notes, after being given up to both governments in an authentic form, may serve them as a security, till the delivery of the original documents shall take place.

Art. XII.—The aforesaid Convention of the 12th of March, 1823, and the several articles and things therein contained, except so far as the same are altered by the present Convention, are hereby declared to be, and shall remain, in force.

Art. XIII.—The present Convention shall be ratified, and the ratifications shall be exchanged in forty days from the date hereof, or sooner if possible.

In witness whereof, the respective plenipotentiaries have signed the same, and have affixed thereto the seals of their arms.

Done at London, the 28th day of October in the year of our Lord, 1828.

(L.S.)

ABERDEEN.

(L.S.)

EL CONDE DE OFALIA.

PORTUGAL.] Sir *James Mackintosh* said, that, before he gave the notice with which he intended to conclude, he wished to offer a few words explanatory of the reasons which had induced him to deviate, in some degree from the course which he had intimated his determination to adopt on the first day of the session. He had observed, in reference to certain portions of his Majesty's Speech which adverted to our foreign relations, that, under existing circumstances, he should forbear to put any questions to his majesty's ministers on these matters. It was his intention to await a convenient opportunity for putting those questions. He felt that, for the present, his majesty's government were abundantly occupied with the great and healing measure which they had so wisely brought under the consideration of the House, and he was unwilling to divert their attention, or that of the House, from the discussion of the all-important question to which he alluded, by the introduction of other matters, which, however in themselves important, could not be compared to the momentous measure which was now happily about being carried into effect. He was further disposed not to introduce other topics upon which differences of opinion might arise, until his majesty's ministers had carried through parliament the bill for emancipating the Catholics, which they had pledged themselves to bring forward, and which would, in his opinion, be a greater boon than any that had been conferred since the glorious measure of the Bill of Rights. But occurrences which had taken place at the Azores, and other occurrences, the accounts of which had not at the time been published, induced him to adopt a different course. He had been anxious, in the first instance, to suffer a longer period to elapse, with a view not to embarrass his majesty's ministers, or to disturb the discussion of the great measure which they had pledged themselves to introduce. He now, however, hoped, that in the little interval of tranquillity between the conclusion of the discussions on the bill for the suppression of the Catholic Association to which bill it was not his intention to give any opposition, unless he were driven to do so on

constitutional grounds, and the introduction of the Bill of emancipation, he should have an opportunity of bringing before the House questions which related to the interests of justice and humanity, and which were entitled to the serious attention of parliament. He would now give notice, that it was his intention, on the 19th instant, to move for "Copies or Extracts of Communications concerning the Relations which subsisted between this Country and her most faithful Majesty, Donna Maria 2nd, Queen of Portugal and Algarve."

ROMAN CATHOLIC CLAIMS — PETITIONS FOR AND AGAINST.] The Marquis of Chandos presented a Petition against Emancipation, from the Parish of Hemel Hempstead.

Sir *J. Sebright* said, that the signatures to the petition were certainly highly respectable, but that the petitioners were right in not intrusting it to him, as he could not omit the opportunity of stating, that during his whole life, he had never heard a single convincing argument against the spirit which now actuated the councils of his majesty's ministers. He had never heard a single argument against toleration, and particularly toleration towards their Catholic fellow-countrymen, which carried conviction to his mind.

Sir *J. Mackintosh* said, it was by no means his wish or intention to disparage this petition, and others of a similar kind. In the present prosperous state of the Catholic question, it would be in the highest degree unbecoming to apply hasty or indignant language to the conscientious opponents of that great measure. He could not, however, avoid remarking, that the petitions at present before the House had been adopted before the promulgation of his Majesty's gracious Speech, and that had the change, which had taken place in the views of government, been known to the petitioners it was highly probable that they would have adopted quite different petitions. Had these petitioners been previously made acquainted with the declaration of ministers, that this measure of emancipation was absolutely necessary for the safety and tranquillity of the State, and that it would be accompanied by satisfactory securities for the maintenance of the Protestant institutions of the country, it was highly probable they would never have sent forward such petitions to the House,

He regretted to observe, that a similar petition had been adopted at one of the seats of science and literature. It appeared that the University of Oxford was assembled to petition against emancipation on the very morning of the day on which ministers had declared their opinion, that this measure of emancipation was necessary for the public safety. It remained to be seen what that learned body would now do. He entertained for it the highest respect, and trusted most sincerely, when they came to consider the propriety of accepting that resignation which the overstrained delicacy of the right hon. gentleman (Mr. Peel) had induced him to tender, that they would see the wisdom of continuing the right hon. gentleman's valuable services, and would by that determination, as it were, virtually withdraw the opposition to the Catholic claims, which they had been so unwarily induced to give to it.

Mr. *Trant* said, he was surprised to hear the language which had been used by the right hon. gentleman who had last spoken. He had spoken of the King's Speech as if it were a command that could not be disobeyed; and seemed to take it for granted, that the Protestants were, until its promulgation, totally ignorant of the change which had occurred in the sentiments of his majesty's government. They were certainly not unprepared for it. A masked battery had been previously opened by the great Captain, which had somewhat discomfited them; and his right hon. friend, the member for Derry, in a speech there some months ago, had let the cat out of the bag, and they now saw the whole of her body. It was not easy to understand how such remarkable changes could have been effected in the opinions of government, and he could not avoid supposing that Wesley, the head of the Methodists, an ancestor, he believed, of the noble duke, might have had something to do with it. Be the change, however, produced by whomsoever, or in whatever manner it might, the Protestants were staunch to their own cause. The tables of the House would be covered with petitions against the measure. Nothing short of an aberration of intellect could have induced his hon. friends opposite (would to God he could still call them his friends!) to come down to the House and thus suddenly exclaim "Oh! this can't be helped—what the Catholics ask must be done."

Sir *John Brydges* complained loudly of the conduct of the government, and declared it was a new thing to hear that it became the duty of members to yield implicit obedience to the recommendation of the Throne, without consulting the feeling of the people—that was a new doctrine to which he would never submit, and against which the people should raise their voice.

Mr. *H. Maxwell* said, he had no doubt on his mind, that both in Ireland and England meetings would be held and petitions adopted against this measure. Sure he was that no change in the opinions of the government would induce the petitioners to change theirs. He would state advisedly, that such a manifestation of Protestant feeling would be made in both countries as to astonish the government. He could not help expressing his surprise, that the right hon. gentleman (Mr. Peel) should have changed his principles, and still consent to remain in office. The country had lost its confidence in the government, and he participated in the withdrawal of that confidence. As an humble individual, but as the representative of a large Protestant county, he would declare that his sentiments remained unaltered, and that he was determined to stand by that constitution, which was essentially, exclusively, and fundamentally Protestant.

Mr. *Jonathan Peel* said, it was with feelings of great pain that he differed on this question from those with whom he was in the habit of acting in public life, as well as with those to whom he was attached by the nearest and tenderest ties in private. He could not, however remain, silent at this moment, lest that silence should be construed into an abandonment of the principles he had hitherto maintained. His opinions remained unchanged, and he could not avoid deploring the course which the government were about to adopt. Had they done before this what they were about to do now—had the laws been put in force, and the Catholic Association suppressed—the government would not have been driven to the miserable alternative of seeking to remedy pressing evils at the risk of incurring the greatest dangers. If men's minds were so divided in Ireland as they were represented to be, was it at all probable that concord and harmony would arise from a measure of securities, insufficient to the

one party, and unsatisfactory to the other. Emancipation was to be given to the Catholics in return for securities offered to the Protestants; but what security could be given to the Protestants, that they might not be deprived of their "securities," by a renewal of those scenes of violence and intimidation which appeared to have produced so much effect at the present moment? He was well aware it might be said, that all moderate and rational Catholics would be satisfied with emancipation, accompanied by those securities; but who could say that those turbulent spirits who possessed all the influence in Ireland, and governed the seven millions, as they were called, by their absolute will—who could say that they would be content, or that they would not again exert that power, the existence of which was acknowledged, and which this act of emancipation proclaimed the government of the country unable to resist. He was well aware, however, that no appeal of his was likely to prove effectual, in opposition to the avowed determination of the government; and he must, therefore, content himself by repeating, that his opinions as to the danger and impolicy of concession remained unchanged [hear!].

Sir *J. Mackintosh* said, that the hon. member for Cavan seemed to possess a species of communication compared to which balloons and telegraphs were a mere joke; for within four days after the delivery of the King's Speech, the hon. member had ascertained, that the people of England and Ireland had lost their confidence in his majesty's government. Now, he had not as yet so completely gone over to the errors of popery as to give his credence to such a Hohenlohe miracle as that. The hon. member had expressed his conviction, that the petitioners against emancipation would not be influenced by the change which had taken place in the views of his majesty's government; but on that point he could not help dissenting from the hon. member.

Mr. *Moore* said, they all knew, constituted as the government of this country was, that his majesty was in the habit of adopting political acts on the responsibility of his advisers. In the present instance, he looked upon the Speech from the Throne as having been dictated by his majesty's responsible ministers, and not as having emanated from himself. But even if they took it as flowing from his majesty's

heart, still he could never coincide in the opinion, that additional political power could be granted to the Roman Catholics, with safety to our Protestant institution; merely because his majesty believed otherwise [cries of "Order."]. He begged pardon. This was the first time he had been betrayed into a breach of the rules of the House, and he hoped they would forgive him. The right hon. and learned gentleman seemed to have almost laid it down as a principle, that the House, on this occasion, ought to concur in the measures of his majesty's ministers; but to such a doctrine he never could assent. He was satisfied that, on this great question, the public at large was anxious to express a decided opinion. A sufficient time should be allowed for that purpose, between the introduction of the bill for the Suppression of the Catholic Association and those measures by which that bill was to be followed, in order that the Protestant population of England and Ireland might have an opportunity of deliberating on this most important subject. He hoped that every opportunity would be afforded to declare their calm and deliberate opinion. When these measures came before the House it would be for those who introduced them to show that the securities were as perfect as the imagination of the most scrupulous could devise. He was perfectly convinced, that the decided opinion of the Protestants of Ireland would be, that the only security for those institutions which it was the great object of the settlement of 1688, to place on a solid foundation, was to be found in placing the government of the country in Protestant hands, and thus upholding the power and authority of a Protestant king.

The Marquis of *Chandos* presented a petition from the barony of Ossory against further concessions to the Catholics. He felt great pleasure in presenting this petition, and would take that opportunity of stating that his Majesty's Speech had been perused throughout the county which he had the honour to represent in parliament, without producing the slightest change in the opinions of the inhabitants. They were ready to put forward their petitions against concessions to the Catholics, to renew their best efforts to spread this sentiment, and to call upon their representatives to do their duty to them and to their country. As the right hon. Secretary had given notice that he meant to

introduce a bill for the relief of the Roman Catholics, he now gave notice, that he meant to move for a call of the House, before the measure was brought forward, in order that every representative might have an opportunity of stating his opinion, whether the constitution was, or was not to be maintained.

Colonel *Sibthorpe* said, he coincided entirely in what had fallen from the hon. members for Cavan and Dublin. He believed as they did, that if sufficient time were allowed, petitions against the proposed measure would flow in from every quarter. The right hon. and learned member for Knaresborough, had observed that the individuals who had carried the petition of the University of Oxford, would have withdrawn it, if they had been aware of the unexpected statements that had been made by his majesty's ministers. He, however, was of a very different opinion. He believed those gentlemen were too consistent to act in such a manner. It had also been stated, that numbers of petitions had been presented, and would be presented, which would have been withheld, if the parties who were instrumental in getting them up had been aware of the change which had taken place in the minds of his majesty's responsible advisers. Here again he was at issue. Since he had been in town, he had met scarcely an individual who did not ask him "Did you expect this? What will be the consequence?" All appeared to be dissatisfied. It was his firm conviction, that myriads of petitions would be presented against this measure; and that the city which he had the honour to represent would stand forward against such a violation of the constitution. He could not conceive how the right hon. Secretary for whom he entertained the highest respect—to the display of whose great talents he had listened from day to day, and from week to week—could have adopted the course he had recently done, after having stated his determination always to oppose the claims of the Catholics. For himself, while he had the honour of a seat in that House, he should consider it his duty to vote against any further concession to them.

Sir *R. Inglis* rose to present a petition from Rippon against Catholic emancipation. He said, he need not state to the House, how cordially he concurred in every sentiment contained in it. He

trusted that the suggestion of the hon. member for Dublin would be attended to, and that sufficient time would be given to the people to express their opinion. If this were done, that opinion would be expressed more strongly, and more intelligibly every day. He was perfectly satisfied that if this question were deferred for a short period, petitions from all parts of the country would be presented, not merely to that House, but to the Crown, praying his majesty to exercise his royal prerogative by a dissolution of parliament. He was convinced that ministers had greatly miscalculated the force of public opinion, when they determined on agitating a measure of this nature. His right hon. and learned friend had observed, that petitions against emancipation would not have been passed, if the individuals who had signed them had known the intentions of the government. Now, he felt himself called upon to say, that that was not a true view of the case. With every possible respect for his right hon. and learned friend, he must say that he was greatly in error, if he supposed any such thing.

Sir *W. Ingilby* said, he did not rise to oppose the bringing up of the petition, but merely to state, that it did not speak the sentiments of the people of Rippon. It was one of those petitions which were very properly designated "hole and corner" petitions. It was got up at a meeting held in a public-house, and although he believed the signature of the clergyman was affixed to it, he thought it was not signed by the mayor and officers of the corporation. In his opinion, it ought not to lie on the table of the House. He hoped the House would not be misled by petitions got up by the Brunswickers. This petition was like many others that would be hereafter presented. They would be got up, not by disinterested parties, but by fanatical clergymen, apothecaries and lawyers, and consequently they would not speak the feelings of the people, who were too much enlightened to be led away by plausible but fallacious statements.

Mr. Secretary *Peel* said, he rose for the purpose of giving the same advice which he had often given before under other circumstances; namely, that the House should receive the petitions presented to them with the most calm, respectful, and unbiassed feelings. They ought not to scrutinize too narrowly, or to hold up to

ridicule the means which it was necessary to resort to occasionally for the purpose of enabling persons to state their opinions to that House. He was sure that nothing could be more fatal to the success of the contemplated measure, than any attempt to treat lightly or intemperately that deliberate and honest feeling on this subject which any body of people might think proper to express. He could assure the right hon. and learned gentleman, who commenced this debate, that he was perfectly satisfied that the petition of the University of Oxford originated in the purest and most honourable feelings, and that those who prepared it were perfectly uninfluenced by any views which his majesty's government had taken, or might think proper to take. The individuals signing that petition had, with peculiar delicacy done him the honour of committing it to his hands, and he would do the utmost justice to their feelings, though he was compelled, by a sense of public duty, to dissent from their opinion. Whatever efforts might be made to induce him to express his opinion fully on this subject, he hoped that his hon. friend, and the country also, would feel satisfied that there must have been cogent reasons, on looking at the whole question, that could induce his noble friend and himself to place themselves in the situation in which they at present stood—a situation in which they were not only opposed, but severely reproached, by those who had long been their friends. Allusion had been made to the sacrifice of the emoluments of office, which, it was insinuated, ought to have been preferred to the course which he had adopted. Good God! he could not argue with the man who could place the sacrifice of office or of emolument in competition with the severe, the painful sacrifice which he had made—a sacrifice which it seemed to be supposed he had consented to, in order to retain his office! He had, after mature deliberation, come to this determination, that, in the state of the country—and in the state of public opinion in Ireland—he never would meet that House in the situation in which he had been formerly placed. He was responsible for the safety of Ireland, and that responsibility he did not wish to be subjected to, while the cabinet were disunited on this question. It was impossible that he could remain in such a situation after the information he had received relative to the state of Ireland last summer. The consequences arising

from that determination were known to the House; and, however displeasing they might be to some gentlemen, he firmly believed that the time would come when justice would be done to the intentions of his noble friend and himself—when they would not be thought to have betrayed their trust to the country and to the Protestant establishment, because they had preferred the reproaches which were heaped on them, and even an apparent sacrifice of consistency, rather than pursue the course which they had hitherto pursued, and have thus obtained a short popularity at the expense of the true and paramount interests of the country.

Sir *R. Inglis* said, that the hon. baronet, the member for Lincolnshire, had said, that this petition was not worthy to lie on the table. He did not mean to move that it should be read, in order to disprove that assertion, but he should briefly state, that it was directed to two objects: it prayed, first, that the constitution might be preserved, and next, that no further concession of political power should be granted to the Roman Catholics. Now, what was there in these two clauses that ought to prevent the petition from lying on the table? Was it unworthy of a Protestant people to express a wish to live under a Protestant government?

Mr. *F. West* said, he rose to present three petitions against granting further concession to the Catholics. For the right hon. Secretary he entertained the highest respect; but he could not express the surprise which he felt when he heard of the extraordinary change which had taken place in his sentiments on this important question. It appeared to him exceedingly strange, that those who had formerly opposed all concession with the utmost perseverance, should now, of a sudden, turn round and support it. If a dire necessity existed for taking such a step, the House must of course meet that necessity in the best manner; but he would say, "whatever proceeding may be adopted, take especial care that due security is afforded to the Protestant constitution of this country." Until the absolute necessity was proved, and proper securities were given, he would wish no further concessions to be made to the Catholics.

Admiral *Sotheron* presented three petitions against the claims of the Catholics. He observed, that he perfectly coincided in the prayer of the petitions,

Mr. *Hart Davis* said, he held in his hand a petition, numerously signed by the inhabitants of a parish in Bristol, against further concessions to the Catholics. What had been said by the right hon. and learned gentleman, in order to weaken the effect of these petitions on the House, namely, that if the contents of the Speech from the Throne had been known earlier, no such petitions would have been presented, deserved some comment. In answer to that, he would request the House to observe what had been done in the city which he represented. The Speech was read in that city, and, in a few minutes afterwards, a requisition, signed by two hundred and thirty most respectable inhabitants was prepared, calling for a public meeting to consider of a petition against granting any further extension of political power to the Catholics; and he had no hesitation in saying, that an immense majority of his constituents were of the same opinion.

Mr. *Duncombe* presented two petitions of a similar nature; one from the clergy of the archdeaconry of the East Riding of Yorkshire, and another from Kirkby Fleet-ham. He had been requested to support the prayer of the petitions, and he would do so most willingly. Though others had seen reason to abandon their principles, he had seen no reason to abandon his. If he were to act in opposition to the course which he had hitherto conscientiously pursued, he should be acting disgracefully and dishonourably. He believed the measure contemplated to be obnoxious to the feelings of the people, and against the best interests of the empire. They were now called upon to take into their consideration a no less important subject than the alteration of the most vital principle of the British constitution. He hoped, however, that it was not too late to ask his majesty's ministers to weigh again and again the step they were about to take, and to reflect deliberately on the consequences of it. Let them follow the example of the late Mr. Canning, one of the most able and strenuous advocates which the Catholic cause ever possessed, but who had distinctly stated, that he had too much respect for the feeling of the Protestants to urge the measure against their decided opinion. He trusted they would respect a similar sentiment which had proceeded from the noble mind of Mr. Pitt. He had no doubt that the great majority of the Protestants

would now feel it their duty to come forward and state what was their unequivocal opinion on this vitally important question.

Mr. *Fynes Clinton* presented a similar petition from Grantham. He said, that for the last two sessions he had given his vote against further concessions to the Catholics, and notwithstanding the great and unexpected changes that had taken place in certain quarters, he saw no reason to give a different vote in this session. The House had heard declarations of the necessity of setting the question at rest in Ireland. No man living could more sincerely deplore the unhappy state of Ireland than he did; but he was fully convinced that the proposed measure would not have the effect of giving tranquillity to Ireland. There would still remain in that country many questions much more embarrassing and difficult to determine. He would not then trespass on the attention of the House, by entering into an explanation of the reasons that induced him to think so. Those reasons they had heard frequently, eloquently, and, he would add, effectually, urged by a right hon. gentleman, formerly adverse to Catholic emancipation, but whose services, he feared, were lost to Protestantism. Every argument in favour of concession brought forward since the reading of his Majesty's Speech had been adduced with equal force, though not with the same effect during the last session. They were formerly thought of little moment: now they were held to be perfectly convincing. It had been said, that the announcement of the intentions of government would have the effect of discouraging petitions from those who were hostile to it. He was of a different opinion. He was satisfied that whatever change might have taken place within those walls, no change had occurred out of doors. He was satisfied that the announcement of the intention of government would be the signal for the preparation of petitions from every part of the kingdom, against granting any further concession to the Catholics.

Sir *Joseph Yorke* rose to answer the hon. member who had preceded the last speaker. He must say, he thought that hon. member had used some very hard words. Were they to be told, that they acted disgracefully and dishonourably, because they attended to a recommendation of the government communicated by the right hon. Secretary, than whom a more

honourable man did not breathe? He had always thought he was doing his duty in voting against the Catholics; but he could no longer hold that opinion, when his right hon. friend told them that it was wrong, and proved his sincerity by sacrificing all that was most dear to him. When they saw one of the right hon. gentlemen's own family withdrawing from him his support, could any one believe that his right hon. friend acted otherwise than from a sense of duty. Good God! Was such conduct to be called disgraceful and dishonourable? For his own part, as God was his judge, he would not have thought of altering his opinion, if the ministers of the Crown, who had the best means of information, had not thought it absolutely necessary for the public good to give way.

Mr. *Duncombe* said, he really did not mean to apply the words complained of to any member. He had merely stated, that he saw no reason to alter his own opinion on this subject, and that it would, therefore, be disgraceful and dishonourable in him to abandon his principles, because others had abandoned theirs.

Lord *Castlereagh* said, he should think himself unworthy of occupying the situation in which his constituents had placed him, if, representing a large county, he did not stand forward and say that, in his opinion, the Protestant population of Ireland were by no means so opposed to the measure in contemplation as two hon. members who had spoken that evening would make them believe. He did hope and believe that there was more Christian charity among them. The hon. gentlemen who thought that so many petitions would be presented against the measure, must, as well as their supposed petitioners, have a wonderful insight into futurity; for none of them as yet knew what the nature of the measure was. If the measure were to come from the other side of the House, those gentlemen might look upon it with suspicion; but, coming from the hands of those who had been called the bulwarks of the constitution, surely no danger could be anticipated. Many dark insinuations of dangers that would result to Ireland from this measure had been thrown out. He did not know what those dangers were; but he knew that none could be worse than the broken friendships and the hostile feelings which the present system had caused. He blessed the dawn of that day

which had brought conviction home to the right hon. Secretary, whose conduct on this occasion did him the greatest credit. During the whole course of the right hon. gentleman's career, bright and honourable as that career had been, he had never shone so transcendently as now. He would rather have remained silent on this occasion, but he could not help rising to intimate, that gentlemen who represented the Protestant feeling of Ireland as so decided and so overwhelming, would do well to make inquiries respecting the opinions of others who were quite as respectable as their own constituents.

Mr. *R. Trevor* presented five petitions against further concessions, from Carmarthenshire. He said, that as far as he could yet see the merits of the question, he was unfavourable to the proposed measure. At the same time, he thought it would be unfair to express an unequivocal opinion, in the ignorance in which he was of the exact nature of that measure, or of the securities which it was intended to recommend. If those securities should not satisfy his mind, the measure should certainly have his opposition.

Admiral *Evans* presented a petition from Portarlington, against further concession to the Catholics. In his opinion, the privileges already enjoyed by them were as extensive as was consistent with the safety of the British constitution. It was said that the proposed measure was to be brought forward in the name of civil and religious liberty. Good God! could any man lay his hand on his heart and say, that the civil liberty at present enjoyed by his majesty's Catholic subjects, was not greater than that enjoyed by any other Catholics in the world? As to religious liberty, the complaint was an absurd one from those who themselves granted no liberty; who shut up the book of God, and would not allow any of their people to look into it. Was that liberty? It was altogether a false pretence.

Mr. *O'Neil* presented two petitions from Kingston upon Hull against further concessions. He was far from casting any reflection on those who had changed their opinion respecting it. Above all, he deprecated the condemning, on that ground, any of his majesty's ministers, who were bound to leave their prejudices and preconceived opinions at the door of the cabinet, and to discuss freely and without bias whatever questions were submitted to

their consideration. At the same time, not having had the benefit of that information which had operated upon the minds of ministers, his opinions remained unchanged.

PORTUGUESE REFUGEES.] On the order of the day for going into a committee of supply,

Mr. E. D. Davenport said, he considered it his duty to avail himself of the present occasion, without losing another moment, to call the attention of parliament, and particularly of the right hon. Secretary opposite, to a subject in its nature so distressing, that he was almost afraid to trust to his own feelings while he explained it to the House. He was aware that the question respecting the relations between this country and Portugal was of the greatest importance, and was one which required, and would, no doubt, shortly undergo the jealous investigation of that House. A motion upon that subject had already been fixed, and he was satisfied that whenever the papers called for, should be produced, it would appear that the lamentable state in which Portugal had been during the last nine months, was mainly owing to the unwise policy of this country. He was, however, sensible that it would be extremely injudicious to discuss that subject at the present moment, or to move any question which might obstruct the operations of that most important of all questions, upon the consideration of which government had at length *bona fide* entered. But there was an insulated transaction, to which he was desirous of calling the attention of the House. He alluded to a recent outrage perpetrated by a British officer off the island of Terceira, which was, in his opinion, so disgraceful to the national character, so distressing in its effects, whether we considered the shame excited at home or the universal detestation abroad, that he thought the honour of parliament and the credit of government alike involved in bringing the matter to an immediate explanation. For himself he could say, that if he had the honour to stand in the situation of the right hon. gentleman, he should avail himself of the earliest opportunity to give an explanation, whatever it might be, of that most untoward circumstance. The facts relating to this case were briefly these. The House would recollect, that after the withdrawal of the British forces from Por-

tugal, and the surrender of the fortresses on the Tagus into the hands of the usurper, no obstacle remained in the way of don Miguel to prevent him from carrying into effect those designs against the liberty of his country, which he had previously shown a disposition to put into execution. When, therefore, all was lost in that country,—when the wise resolutions and determinations, made in Vienna and this country, were all at once dissipated—a considerable body of Portuguese, both in military and civil stations, rather than remain any longer under the dominion of the tyrannical usurper, went into voluntary exile. They proceeded to this country as their natural asylum, which had been for so many ages the hospitable and kind friend to the persecuted and oppressed of all nations. They accordingly arrived at Plymouth, and after remaining there a considerable time, during which they conducted themselves with great propriety, they received an order through the competent authorities, to break up their quarters. The officers were directed to be separated from the soldiers—a course calculated to destroy in the latter all idea of military discipline. The soldiers were ordered to be dispersed round Plymouth, and the officers to go into exile—in short, they were treated in every respect like prisoners on their parole. The parties to whom this order was addressed, though thinking its execution would be detrimental to the good cause in Portugal, preferred leaving a country where they were no longer welcome, and resolved to proceed to Brazil, at that time the only safe port open to them. But soon after they came to this determination, the news reached this country, that the island of Terceira continued faithful to her legitimate sovereign; that in point of fact, the queen Donna Maria da Gloria's authority was recognized throughout the island, and that she was sovereign of Terceira as much *de facto* as she was *de jure*. Accordingly, they hired three English and one Russian ships, and upwards of six hundred persons, military and civil; embarked and proceeded to Terceira. It was most unquestionably true, that they received an intimation from our government, that they would not be allowed to land at the Azores. But they considered that provided they kept within the letter of international law—provided they proceeded unarmed, and were fortified conditionally with orders

from their own legitimate sovereign—they considered that they had a full right to hire neutral or any vessels they chose, to proceed to any port in the world they pleased; and they thought that England would be the last power on earth to interfere with the unarmed subjects of another country. Moreover, they had been assured, by very good authority, that the intimation which had been given to them by government was too much opposed to the law of nations to be worthy of attention. The expedition accordingly set sail, and arrived on the 16th of January last; within a mile of Terceira, and when they were just preparing to let go their anchor, a shot from a British frigate was fired into the “*Susannah*,” a small brig, filled with men, which destroyed one man and wounded two others. He could never believe that a British officer, let his instructions be what they might, would begin his explanation with so striking an argument as a shot. He was, therefore, of opinion, that some previous signal must have been given by captain Walpole, which was not understood by the ignorant Portuguese. However, this circumstance led to a negotiation between captain Walpole and count Saldanha; and in consequence of the captain expressing a decided determination to oppose a landing, the attempt was given up. He begged to remark, that as soon as the shot was fired, a correspondence ensued, and the British captain appeared to him to have pursued a sort of logic, which had shown itself in another place—first of all to punish a party, and afterwards to inquire into the offence. The correspondence which followed had been published, in which count Saldanha protests against the injustice of preventing an unarmed body of Portuguese from landing in the only spot which remained faithful to its legitimate sovereign. The count complained of the act as a gross breach of international law, and as a cruel violation of those amicable relations which had so long existed between this country and the sovereigns of Portugal. The neutrality of the ships was urged in vain, and the result was, that the object of the expedition having been thwarted, the Portuguese were obliged to put into the port of Brest, where they were received with every demonstration of friendship and kindness. He thought they had now, thank God! got into a country which was willing and prepared to do them justice; and he trusted

that France was in a condition to occupy that post of honour of always giving succour to the persecuted and the lovers of liberty of all nations, which he regretted, England, who had so long enjoyed it, had suffered herself to lose. He had heard it stated—but he hardly expected to hear it repeated to-night—in extenuation, if not in excuse, for this outrageous proceeding, that our government could not look with indifference at the separation of any part of the Portuguese dominions from the rest. Nobody, he thought, wished for any separation of the dominions; but it never would be contended, that, because the usurper of Portugal possessed nearly the whole of the Portuguese possessions, therefore no part should be preserved for the legitimate sovereign. He begged pardon for having so long occupied the attention of the House. He thought it his duty not to let another moment transpire without calling for an explanation of the matter; which he hoped the right hon. Secretary would give, as no person felt more interested than he did with respect to a transaction so apparently discreditable to this country.

Mr. Secretary *Peel* said, he had expected that this subject would be brought before the House, and he could assure the hon. gentleman, that he had come down to the House with the intention of giving any information upon it which might be in his power; but, subsequently to his arrival in the House, a right hon. gentleman opposite had notified his intention of bringing forward a discussion on this subject, and also on the whole of our relations with Portugal. On that account, and as in any explanation he might give, he must of necessity enter into details, it might be the most convenient course for all parties if any explanation was postponed until the right hon. gentleman brought forward his motion. He had also another motive for wishing to postpone the explanation of the circumstance to which the hon. gentleman had alluded. As yet government had received no official account, or any despatch from captain Walpole. He did not know from that officer what had taken place, and therefore any explanation he could give now must be incomplete. It was still, however, his belief, that the conduct of that officer would, upon examination, stand in that light in which every one must wish the conduct of a British officer to appear. The time would

come when he would explain to the House the whole of the facts connected with this case; and, in the mean time, it was only necessary for him to request the hon. gentleman to bear in mind the principle upon which we had acted with respect to Portugal. Though we admitted the right of the Queen Donna Maria to the throne, we did not think it necessary to involve this country in the civil dissensions which at present distracted Portugal. The time would soon come when the whole of the facts of the case would be explained in detail.

Sir *E. Owen* considered it extremely unjust to cast the stigma of inhumanity on captain Walpole. It should be remembered that officers were placed in difficult situations, and had only their orders to perform; and if he understood the correspondence which had been published, the Portuguese had received an intimation from our government not to land in the island in question, which intimation was known to captain Walpole, and if he had received orders to prevent them from landing, however unjust such orders might be, he only did his duty in performing them. He thought that when captain Walpole's report was received, it would be found that that officer had not only strictly performed his duty, but performed it with the greatest reluctance.

Mr. *Davenport* said, he had distinctly stated, that though, by the account published in the newspapers, it appeared that a shot was the first argument, he could not believe that such was the case, and he had given credit to captain Walpole for making some previous signal.

HOUSE OF LORDS.

Tuesday, February 10.

ROMAN CATHOLIC CLAIMS—PETITIONS FOR AND AGAINST.] The Duke of *Rutland* said, he wished to avail himself of that the earliest opportunity of presenting a petition, signed by no fewer than 17,935 individuals, freeholders and other inhabitants of the county of Leicester. The prayer of the petition was against any further concessions to the Catholics—against any concessions which tended to invest that body with increased political power. The petition which he then held in his hand, was in every point of view, entitled to the respect and consideration of the House.

It was, as he had already stated most numerous signed—signed by a body of men whom, from personal knowledge, and from information on which he placed implicit reliance, he could describe as possessing a degree of respectability which entitled their sentiments to a favourable reception from their lordships. It was perfectly true, and he had not the slightest hesitation in making the admission, that, at the time those individuals put their names to the petition in question, not one of them was aware of the change which had taken place in the sentiments of his majesty's government; but, in his opinion, that was a circumstance of very slight importance indeed—nay, he felt bound to express his clear conviction, that their knowledge of that circumstance would not have had the smallest influence upon the minds of the petitioners. With this brief observation he would leave that part of the subject, and hoped for their lordships' indulgence in addressing to them a few observations upon the question which the petition embraced. Ever since he came into public life he had been sincerely convinced that no alteration ought to be made in those laws which excluded Catholics from political power. No man could be more deeply sensible than he was of the overwhelming importance of the question speedily to be submitted to the consideration of their lordships; and nothing should prevent him from declaring his opinion when the contemplated measure came regularly before the House. Great as was his admiration of the noble duke at the head of his majesty's government—full and general as was the confidence which he reposed in the energy and wisdom of that minister—decided as was his concurrence in the general principles of his government—reposing in him as much confidence as any man could place in another—he gave him ample credit for his conviction of the imperious necessity which had led him to advise his majesty to make the recommendation contained in the royal Speech, however much that recommendation might be at variance with the principles and sentiments for which that noble duke had formerly been distinguished, and whose advocacy of which had so often cheered and animated every lover of our Protestant constitution. Anxious as he was to support, in every other point, the existing administration, he trusted that his defection from them on that great consti-

tutional question—if upon the introduction of the measure he should deem opposition necessary—would not be taken by his noble friend as a general withdrawal of adherence, and would not be esteemed by the country as a departure from political principles and connections. However anxious he might be to express his intentions thus early, and however devoted his attachment to the principles of the constitution, he thought the most expedient course would be to wait until the measure was regularly before them, ere he came to any resolution as to the course which it would be proper for him to pursue. He even considered it due to his noble friend to wait until that period should arrive. For himself he could not conceive any circumstance calculated to give him greater pain than the necessity of expressing a difference on any point from the principles which governed the present administration. That pain, he need scarcely assure their lordships, he would most unwillingly endure, and he would most studiously avoid every occasion of expressing such a difference, unless when that necessity was balanced against the greater pain of departing from that consistency of principle which it had been his earnest endeavour to observe uninterruptedly, and which, in the particular case of Protestant principles, he had ever enthusiastically maintained. He had but one observation more to make, which might be considered in the light of a repetition; namely, that when the measure was brought forward, and the grounds upon which ministers meant to support it were explained to the House, if it happened that he should be unable to give it his support he begged, once and for all, to disclaim any intention of not generally supporting the administration of the noble duke, in which he placed as strong and as ample a confidence as he had ever placed in any administration since he had the honour of a seat in their lordships' House.

The Earl of *Longford* rose to present two petitions, one from *Longford*, and one from *Granard*, most numerous and respectably signed. They prayed for the suppression of the Catholic Association, and ascribed, justly in his opinion, many of the evils that affected Ireland to the existence of that body. They also prayed the legislature to take into consideration the footing on which the forty shilling freeholders stood, and, as a most efficacious

means of restoring tranquillity to Ireland, the repeal of those statutes under which the Roman Catholics exercised the elective franchise. These were the sentiments of the petitioners. For himself, though he concurred in the sentiments which generally animated the petitioners, he was not prepared to go the full length of retracing the steps taken in 1793. It was one thing to enact a law, and quite another to repeal it, after thirty-six years' endurance. He lamented that such a privilege had ever been conferred on Catholics, for the difficulties that the government had ever since had to contend with were mainly attributable to it. He confessed, however, that he saw for it, at the present moment, no practicable remedy. The petitioners deprecated the further concession of political power to the Catholics; and he deeply lamented that he should but deceive his friends and neighbours, were he to hold out to them the same favourable expectations in which, on former occasions, they were accustomed to indulge. There was an unfortunate portion of the Speech from the Throne which did not suffer such a hope to be entertained. He felt unable to express the regret with which he was penetrated, when he reflected on his majesty's ministers having made such a recommendation. Were he to hold out the usual hopes, he should but delude those who had intrusted these petitions to his care; for there was every thing to apprehend from the extraordinary, unlooked-for, and unauthorised proposition which it was understood was to be made to parliament. It was, as he conceived, a measure unwise in principle, and quite unworthy the legislature and government of a great country. It should be remembered that the discontent of the Catholics arose wholly from political causes—the thirst of political power. Were that not the case he should be the last man in the country, to set himself in opposition to their claims, or to deny them the fullest enjoyment of religious liberty, strictly so called. The plea that the Roman Catholics set up of an interference with their religious freedom was one of the vilest delusions that ever was practised in a civilised country—one of the vilest delusions that ever was set up to mislead the weak or overbear the timid. Upon the clearest grounds of policy and expedience the claims of the Catholics had been over and over again disallowed, and, upon

stronger grounds than ever, they should be disallowed on the present occasion; but unhappily his majesty's ministers had taken the most delusive views of that great question. If he could believe that there was any reasonable prospect that the proposed measure would have the effect of restoring peace and tranquillity to Ireland, instead of being adverse to concession, he would be the first to propose it. He had lived all his life in that country: he was acquainted with the character of its inhabitants, and with every local circumstance that could lead to a just conclusion on the subject; and he could positively state, that the anarchy which prevailed in that unhappy country, was mainly owing to the Catholic Association, aided by deluded dupes and factious tools. For thirty years he had looked on the political proceedings in that country with all the agonizing anxiety of one whose sole possessions were confined to it—of one who saw within its limits all that he held dear upon earth. No one was, no one could be, more deeply interested in its peace and prosperity. There was no sacrifice which he should think too great for the purchase of such objects. But he could not believe that they were to be purchased by the means said to be in the contemplation of government. He conscientiously believed, that, instead of proving the harbinger of peace and concord, they would, in the first place, excite an ungovernable temper among the more factious portion of the Catholics, and affect the Protestants with apprehension and dismay; and, in the second place, lead to a desperate reaction. They would not open the door of conciliation, but the sluice-gates and tide-way of collision. But it was not alone to the principle of these measures—it was not alone to the peculiar form and mode in which they were presented to the House that he objected: he felt it his duty to object to the reserve practised by the noble duke at the head of the administration, and to the parliament being thus taken by surprise in the introduction of a measure, which was unwise, unprincipled, unjustifiable, and unworthy the government and legislature of this country. It was the greatest innovation that had ever yet been effected in the constitution of England. In whatever point of view it was considered no man could regard it as otherwise than of first-rate importance; and on which ever side a vote was given, the heaviest responsibility

attached. No man could say what might be the consequences of his vote. But, there was this material distinction between voting for and voting against concession—that the adverse decision could be re-considered, while the favourable one was irrevocable. This was not a proposition from the administration, in the ordinary course of affairs—such as a vote for the augmentation or diminution of the army, or any other matter of detail; but the greatest constitutional question that could be propounded; and he must again say, that it was brought down in a manner more calculated to create suspicion, than any important recommendation from government, that he ever remembered; and he must, for the third time, emphatically repeat, that it was unwise in principle, and unworthy of the legislature and government of England. It was a measure that must fall with peculiar severity upon the Protestant portion of the Irish people—on those who, individually and collectively, stood forward to support the administration formed by the noble duke; and who, in no measured terms, expressed their exultation and joy when he was called to the head of affairs, after the two ineffective, and incompetent administrations which had preceded him. In the observations which he had thus felt himself constrained to make, he might have been betrayed into no ordinary warmth of expression; but the case was one of overwhelming importance—nothing equal to it had occurred since the revocation of the edict of Nantes—nothing that so deeply and awfully affected the Protestant interest. It pained him to think that much of this was owing to their having reposed too large and too blind a confidence in the head of the government. They had grievously deceived themselves; but, though late, they had received a lesson of experience, and were not likely to place the like confidence in any set of men, especially in his majesty's ministers.

The Duke of *Wellington* said:—I trust your lordships will excuse my making a few observations in reply to what has just fallen from my noble relation, and in explanation of some of the circumstances to which he has alluded. Notwithstanding the remarks which he has thought proper to make, I shall endeavour, as far as is consistent with the explanations due to your lordships and to my own character, to avoid discussing, either the question generally known by the name of "*Catholic Emancipation*," or the

particular measure which it is my intention in concurrence with the other members of his majesty's government, shortly to propose to the House; but even at the hazard of touching upon these subjects, which I should otherwise gladly avoid, I must be permitted to make a few observations upon the speech of my noble relation. The first which naturally presents itself to my mind is this—if the notified intentions of myself and my colleagues are such as my noble relation feels himself called upon to condemn in terms so strong, why has he not proposed, or even hinted at, any measure of his own? He has talked of the various evils which afflict Ireland; he has, therefore, admitted the necessity of a decided course, but he has cautiously abstained from the slightest suggestion of any thing like a remedy for those various evils. Now, surely, my lords, when he comes and blames us for what we have done, and admits that we cannot stand still and look on, it behoves him to tell your lordships what he would recommend for the purpose of tranquillizing Ireland. I humbly submit that neither he nor anybody could have made to you a proposition different from that which we have felt it our duty to lay before you. My noble relation complains loudly that I have been guilty of concealment, I beg my noble relation's pardon, I have concealed nothing. I have repeatedly declared my earnest wish to see the Roman Catholic question settled. I believe nothing could ever have been more distinct and explicit than my expression of that wish; and is it a matter of surprise that the person entertaining it should avail himself of the first opportunity of proposing the adoption of that which, over and over again, he declared himself anxiously to wish? On this particular question I had long ago made up my mind, as a member of this House, to take a particular course. It may be thought peculiar as a matter of taste; but, for many years I have acted upon the determination never to vote for the affirmative of this question until the government, acting as a government, should propose it to the legislature. My noble relation knows, or ought to know, that ever since the year 1810, the several successive governments of this country have been formed upon a principle which prevented their ever proposing as a government, the adoption of any measure of relief in regard to the Catholics. In order to the formation of a cabinet which,

acting as a government, could propose this measure, it was, in the first place, necessary to obtain the consent of that individual, the most interested by his station, his duty, and the most sacred of all obligations, than any other individual in the empire. It was necessary, I say, that I should obtain the consent of that individual, before the members of the government could consider the question as a government one. Now, under such circumstances as these, would it have been proper in me to have breathed a syllable upon the subject, until I had obtained the consent of the illustrious personage to whom I have alluded? I call upon my noble relative to answer this question, if he can, in the negative. I beg of my noble relative to ask himself this question, whether I was wrong in having kept secret my views, since the month of July or August, not talking to any man upon the subject, until I had the consent of that exalted personage, to form a government upon the principle of taking the question to which I have alluded into consideration? My noble relative ought to place himself in my situation—he ought to see what was expected of me; and then instead of blaming me for acting as I have done, he would see that, if I had acted otherwise, I should have been highly blameable. When the question had been decided—when I received the permission, so as to be enabled to make a declaration—on not having made which, alone the accusation of surprise can be founded—the opening of the session was so near, that it was impossible to make known what had occurred earlier, or in any other manner than by the Speech from the Throne. I ought to thank my noble friend for having afforded me the opportunity of stating these circumstances to your lordships. I beg leave, while on my legs, to refer to an observation made by a noble baron (Farnham) who, on the first night of the session, taunted me with having sanctioned the publication of a Letter on the subject of the Roman Catholic Claims, which had led to the belief, that no measure would be introduced by the government during the present session.* It is perhaps unneces-

* The following is a Copy of the Letter to which the noble Duke referred.

Letter from the Duke of Wellington to Dr. Curtis, Catholic Primate of Ireland.

"My Dear Sir—

"I have received your Letter of the 4th inst.

sary for me to deny that I sanctioned the publication of that Letter, which I confess I probably might as well have let alone. I wrote the Letter certainly : but I did not intend it for publication ; and I shall take care not to write such a Letter to any individual again. But I totally deny that, either in that Letter or in any thing said or done by me, there was the slightest ground for the assertion, that I had any other wish, than that of seeing the question permanently settled.

Lord *Farnham* said, he did not object to the communication which the noble duke thought proper to make, though he must say it was made through rather an extraordinary channel. What he said was, that the communication alluded to tended to throw the people of England off their guard, inasmuch as the noble duke expressed himself firmly convinced that, in the then existing state of public opinion, the question of the Catholic claims could not be fairly considered. It was therefore naturally concluded, that the noble duke had no intention of originating any measure respecting those claims during the present session.

The Archbishop of *Canterbury* (Dr. Howley) said :—My lords, I have some petitions to present to your lordships ; but before I do so I have an important duty to perform, I wish to give a flat contradiction to a falsehood which has been widely circulated, and which imputes to me an alteration of opinion on the subject of the Roman Catholic Claims. My lords, ever since I have had the honour of a seat in your lordships' house I have voted, from the clear conviction of my mind, against

the admission of Roman Catholics to any increased political power, from an honest apprehension that that admission might lead to the certain injury, and possibly to the partial subversion, of the established church in this country. I confess, my lords, that I see no grounds, in any recent occurrences, to allay such apprehensions ; but, on the contrary, I see every reason why the supporters of Protestant principles should look with more than usual anxiety to the existing state of its interests. I do not consider this to be the proper time for entering into a discussion of the question ; and therefore I confine myself to the contradiction of a mischievous falsehood, which, in justice to myself, I felt called upon to make. I protest against the imputation of having altered my opinions on this momentous subject ; I protest against it, as being highly injurious to my character, and destitute of foundation.

The Bishop of *London* (Dr. Blomfield) presented a petition from the dean and chapter of the diocese of Chester, praying their lordships not to grant such concessions to the Catholics as would endanger the constitution, and, at the same time, expressing a wish to grant their Catholic fellow-subjects all the privileges of the constitution, provided it could be done with security. In this wish he cordially concurred, though he could not entertain any hope that it would be fulfilled. He would take that opportunity of stating, though it was not the proper time for delivering any opinions as to the measures to be proposed, that after a careful examination of the question, his sentiments had undergone no alteration. He had attentively examined the question, with a view of finding out securities, and with regret he was obliged to declare that he had been unable to devise any which satisfied his mind, that the Catholics could be admitted to political power, with safety to our constitution in Church and State. At the same time he hoped, that, in stating this opinion, he should not be thought to imply a censure on others. In the discussions about to ensue on this question, their lordships would be required to control their personal feelings, which were too often excited on subjects of such a description. He hoped there would be no ascribing of unworthy motives to those who held different opinions now, from what they had hitherto professed ; and that each would give the other credit for

and I assure you, that you do me justice in believing that I am sincerely anxious to witness the settlement of the Roman Catholic Question, which, by benefitting the State, would confer a benefit on every individual belonging to it. But I confess I see no prospect of such a settlement. Party has been mixed up with the consideration of the question to such a degree, and such violence pervades every discussion of it, that it is impossible to expect to prevail upon men to consider it dispassionately. If we could bury it in oblivion for a short time, and employ that time diligently in the consideration of its difficulties on all sides (for they are very great), I should not despair of seeing a satisfactory remedy.

"Believe me, my dear Sir, ever your most faithful humble servant,

(Signed)

WELLINGTON."

"London, Dec. 11th."

the purest intentions. They should recollect that unity of end was by no means incompatible with a diversity of opinions as to the means towards that end, and that among the highest intellectual and moral character was that diversity the greatest and most remarkable.

Lord *Redesdale* presented several petitions from Carmarthen against the Catholic Claims. He said that, when he was told that the base and pedestal of this Protestant constitution was about to be swept away, to make room for the Catholics, he felt as one would feel at whose head a robber held a pistol, and demanded his money. In either case, nothing but necessity could induce him to comply.

The Marquis of *Lansdowne* presented a petition from Birmingham in favour of the Catholic Claims. He observed that nothing which had fallen from the noble duke opposite more readily obtained his concurrence, than the opinion, that the Catholic question, to be successful and beneficial, should be made a measure of the government. Ministers alone could carry into effect the provisions of such a measure, and devise such securities as would obtain the countenance of all parties; for in them alone was to be sought or expected a unity of purpose that was essential to the success of a question involving so many important interests. He was glad, therefore, of the opportunity of declaring, that he always voted for the measures that had come before their lordships, with the sole view of inducing the government to take those measures into their own consideration. He would not enter upon a discussion of the intended measures; but would only say, in reference to what had fallen from a noble earl, that in his (lord *Lansdowne's*) conviction, no mode more constitutional, or partaking less of the character of unfair surprise, could have been hit upon for announcing those measures, than that adopted by government. He really thought it was impossible to adopt a more certain mode of preventing a surprise of parliament, than taking the first opportunity of recommending, through a Speech from the Throne, the consideration of certain laws, before calling upon that or the other House to adopt unpreparedly any vote, resolution, or measure whatever. By that course every one had time to prepare himself on any resolution or measure that might hereafter come under discussion.

Lord *Clifden* said, he had a few petitions to present on the same side on which he had already presented many scores; he believed he might say some hundreds. He hoped that these would be among the last, though not quite the last, that he should have occasion to present, as he trusted the day was fast approaching which would put an end to the necessity of further petitions from the Catholics. He felt it his duty to express his most heartfelt thanks to the noble duke at the head of the government, who, with so much wisdom and such sound and statesman-like views, had resolved upon bringing forward the measure which would terminate the discord of Ireland. To the noble duke he gave his thanks in the first instance, and next to his majesty's government generally; also to that part of the cabinet, who had invariably supported the question, and in a particular degree to those wise and honest men who had made a sacrifice of their prejudices, for the good of the country. He could not speak in too warm terms of the frank and manly tone in which his noble friend, the President of the Council, had expressed himself the other evening; but there was one right hon. gentleman who deserved the thanks of every man in the country; he meant the Secretary of State for the Home Department. A great number of lies and torrents of abuse, had been poured out on the right hon. gentleman, for having acted with candour and firmness. He spoke of the right hon. gentleman with none of the sympathy or prejudices of friendship; for he had not the honour of his acquaintance. The right hon. gentleman felt himself under the necessity of standing forward, and sacrificing his former opinions to the duty which, as a minister of the Crown, he was bound to discharge. An effort was making to run the right hon. gentleman down; but his great talents, and his public and private character, raised him far above all the villainous trash of the lying publications that were calumniating him. There was one sentence well worthy of attention that had fallen from the right hon. gentleman, in stating his reasons for changing his views of this question. The right hon. gentleman stated, that, as a cabinet minister, many things were known to him which could not be known to the rest of the world. This was undoubtedly true; and he would suggest one motive that probably actuated the right hon. gentleman,

When government had to transact business with foreign ministers, either here or abroad, at Petersburg, Vienna, or Washington, Ireland was perpetually brought into the discussion, if not directly, by insinuation at least, as the weak point of this country, as beyond doubt it was. The right hon. gentleman had, it appeared, offered to resign in August last, declaring, at the same time, that he should then support the measure of relief to the Catholics; but the noble duke at the head of the government, with that right feeling and good sense which characterised him, had persuaded the right hon. gentleman to continue in office, and he had continued, a proof that he was actuated by no earthly motive but the welfare of the country. He could not consent to see a man of this stamp run down by vulgar vituperation. He hoped the right hon. gentleman would treat it with the contempt which he did, when he saw himself abused in the blackguard Orange papers. When, for example, he was travelling last summer, he asked at the Inn for a newspaper, and the first paragraph his eyes lighted on was one attacking "the worthless Lord Clifden, who, though he drew forty thousand a year from Ireland, did not spend fifty pounds in it." Those who opposed this measure were bound to shew that it was possible to pacify Ireland without it. The enemies of the country were watching with lynx eyes what that House was doing, in the hope that it would throw out this salutary measure. Supposing it carried in the House of Commons, as it would be, by an overwhelming majority, if their lordships were so mad as to reject it, what would be the consequences? Would they turn out the noble duke, to whom, if he succeeded, this measure would be the crowning victory of all? If they did, all those who wished for mischief and confusion, in order that they might blow up the constitution, would rejoice at it. A noble and learned lord, on the other evening, had referred to America. Now, he would tell their lordships that throughout the United States, from Boston to Charleston, through to the rivers that fell into the Pacific Ocean, there was a strong feeling in favour of the Irish Catholics. There were thousands and tens of thousands of citizens descended from Irish emigrants, and settled there as merchants, tradesmen, and landholders, who were inspired with a determination to do something for the land of their fathers.

They had sent hundreds and thousands of pounds to the Catholic rent, and if we were engaged in war, he had no doubt, they would send arms and ammunition. This country, indeed, would be despised, if it persisted in restrictions which all other countries had abolished. Before he concluded, he would say, that he should be happy if the right hon. gentleman remained member for the University of Oxford. He believed that the right hon. gentleman's resignation had not been accepted. He had seen a leading man connected with the University, who had told him so. If it were otherwise, he would say, that since the infamous decree which was burned by the hands of the common hangman, that, he meant, in favour of Passive Obedience, and Non-resistance, the University, if it should reject the right hon. gentleman, had done nothing so contemptible and disgraceful. But he hoped the University would not be influenced by the parsons, who knew just as much about this question as their lordships' horses.

REPRESENTATIVE PEER OF IRELAND.] Lord *Farnham* said, that, in pursuance of a notice which he had given, he rose to present a petition from lord Castlemaine, complaining of the undue return of lord Dunally, as a Representative Peer of Ireland, in the room of the late earl of Arran. The petition contained several allegations, stating, that there had been various informalities in the manner in which votes were given. As this was the first petition against the return of a representative peer since the Union, he would move, that it should lie on the table.

Ordered to be taken into consideration on Thursday.

HOUSE OF COMMONS.

Tuesday, February 10.

KING'S ANSWER TO THE ADDRESS.] Mr. Secretary Peel reported his Majesty's Answer to the Address, as follows:—"I receive, with the highest satisfaction, this loyal and dutiful Address; the great object of my life is to promote the happiness and the welfare of my people; and I rely with confidence upon your co-operation in every measure which may advance the interests of the country, and maintain its high character among the nations of the world."

ROMAN CATHOLIC CLAIMS.] Sir T.

Gooch presented a petition against further concession to the Roman Catholics from the clergy of the archdeaconry of Sudbury. He felt it his duty to state, that nothing had happened since the last discussion of the question which could induce him to change his opinion. He felt surprised at the sudden change in the sentiments of the right hon. the Secretary for the Home Department; and, whatever might be the measure about to be introduced by government, he should feel it his duty to give it all the opposition in his power, unless it should contain for the Protestant interest of the country, a much greater security than had been offered.

Admiral *Evans* presented a petition to the same effect from the Protestant inhabitants of Ferns and Kilbride. He said, he conceived it impossible that Roman Catholics could participate in a Protestant government. The moment a single Roman Catholic was admitted into it, from that moment it must cease to be Protestant.

Mr. *Herries* rose to present a petition from the mayor, aldermen, and burgesses, of Harwich, against the Catholic Claims. In complying with the wishes of his constituents on this occasion, he wished to offer a few observations in reference to the peculiar situation in which he was placed. He trusted that his constituents would find, in the progress of the measures which his majesty's ministers had pledged themselves unanimously to recommend to his majesty, he hoped, he said, that in the progress of those measures about to be brought under the consideration of that House, his constituents would find no reason to change the fair opinion which they had previously entertained of him, and which had induced them to return him as their representative to that House. He hoped they would find, in the progress of those measures through parliament, the same firm adherence and attachment on his part and on that of his majesty's ministers to those institutions which they valued so highly. He hoped they would find that no alteration had occurred in his sentiments and in those of his right hon. colleagues, which was not justified by the real danger to be apprehended from the continuance of a hostile demeanour towards his majesty's Roman Catholic subjects. He hoped that they would find that no diminution had taken place in the determination of his majesty's ministers to preserve inviolate those institutions, upon

which they justly placed such value. But, until the measures had been fairly discussed, and until it had been seen with what sentiments and intentions those measures had been introduced, he trusted that the respectable body from which this petition emanated, and all those with whom he and his colleagues hitherto had had the honour of acting in that House, would believe, that no change not fully justified by the times, had induced ministers to give that advice to his majesty which he had accepted.

COURT OF CHANCERY.] Mr. *M. A. Taylor*, in rising to bring forward his motion for certain returns connected with the Court of Chancery, said, he would not trespass on the House with many observations, as, from the answer of the right hon. Secretary on a former evening, he had been given to understand, that the various representations which he had made, during the last eighteen years to the House, had succeeded in persuading the government, and the noble lord who presided at the head of that court, to bring forward some proposition for the relief of the suitors. He begged to congratulate the House and the country on such a change, so much for the honour of the country, and pregnant with such beneficial consequences to the unfortunate suitors in that court. He wished to state to the House, that he had never wantonly intruded on their patience in reference to this subject, and he therefore should not occupy much of their time now that his right hon. friend had intimated that some measure was necessary for the relief of the suitors in that court. For, unless the right hon. gentleman was convinced of the existence of such a necessity, he would not have given the answer which he had done on a former night; nor would the Lord Chancellor have given notice of his intention to introduce a bill on the subject. He begged to state, that he should not proceed further with his efforts on this subject, until the bill to which he alluded should be introduced; but he would feel it his duty then to state to the House, whether the measure was adequate to the exigencies of the case; and, if not, he should endeavour to show how far it was commensurate with the evils which it was intended to remedy, and how far the House should be content with it. He could now state to the House, that the

Court of Chancery was in a worse condition than when the subject was last under their consideration. The appeals had increased, the business had increased, and the bills filed in the offices of the Six Clerks were one hundred and fifty more than last year. These facts sufficiently proved that he had been fully justified in so frequently drawing the attention of the House to this important subject. In doing so he had been uniformly actuated by public principle, and with a view to the public good; and in any of the measures which he had brought forward he had never personally attacked the noble judge who had presided in that court. A great alteration must be made in many of the rules by which this court is governed, in order that the business may be speedily and properly done. These were points, that would, of course, be more distinctly brought forward, when the measure about to be introduced by a noble lord elsewhere was submitted to the House for its consideration. The hon. gentleman concluded by moving—"That there be laid before this House an Account of the number of Re-hearings, and Appeals which stood for hearing, before the Lord Chancellor, on the first day of Hilary Term, 1829; an Account of the Number of causes which stood for hearing before the Lord Chancellor and the Vice-Chancellor, on the first day of Hilary Term, 1829." The motion, together with several others, connected with the business of the Court of Chancery, were agreed to.

ASSOCIATION SUPPRESSION (IRELAND) BILL.] Mr. Secretary *Peel* rose to bring forward the motion of which he had given notice. He said, he would take the liberty of prefacing the appeal which he was about to make to the House, by reading that part of his Majesty's gracious Speech which referred to the particular subject that he was about to bring more immediately under their consideration. The right hon. gentleman then read the following passage:—

"My Lords and Gentlemen—The state of Ireland has been the object of his Majesty's continued solicitude.

"His Majesty laments that, in that part of the United Kingdom, an Association should still exist, which is dangerous to the public peace and inconsistent with the spirit of the Constitution; which keeps alive discords and ill-will amongst his Majesty's subjects; and which must, if

permitted to continue, effectually obstruct every effort permanently to improve the condition of Ireland.

"His Majesty confidently relies on the wisdom and on the support of his parliament; and his Majesty feels assured that you will commit to him such powers as may enable his Majesty to maintain his just authority."

The right hon. gentleman then proceeded. It was his intention on the present occasion, to limit himself to that which appeared to him to be the exclusive object of that recommendation; namely, to justify the allegations contained in that Speech, and to demonstrate the immediate necessity for the preservation of the peace of Ireland, of increasing the powers at present intrusted to the executive government of that country. He had that morning commenced revising his painful recollection of the various acts and proceedings of the Roman Catholic Association. He had begun that unpleasant task under the impression that it might be necessary to refer to those proceedings in that House; but subsequent reflection satisfied him that he might be spared so very painful a duty. Those acts and proceedings were so fresh in the recollection of those whom he now addressed, that it was, he thought, unnecessary to refer to particular instances of violence and intemperance: he thought it also probable, that whatever might be the variance of opinions in that House, with respect to the remote causes which had given influence and power to the Catholic Association—whether or not they were correct who thought that while disabilities remained, it would be impossible to control the substantive power of this Association—or whether they were correct in their opinion, who believed that the mere exercise of summary authority was sufficient once and for ever to counteract the dangerous tendency of the Association,—he would say, whether the one proposition or the other were the true one, or whether the truth lay in a medium between them, that he thought he might reckon on the unanimous opinion of the House on this point; namely, that the existence of such a body was inconsistent with the exercise of regular government, and totally incompatible with the due administration of the law. He did not mean to enter into those causes which had given rise to the Association; he asked only for that admission which he had already heard amply made on the

opposite side of the House—that it was not consistent with the exercise of the functions of the regular government, that the existence of the Catholic Association should be any longer allowed, and therefore he should be spared the pain of stating any particular circumstances which might have the effect of creating irritation or ill-feeling. He had taken a certain course, and he would not depart from it; and he hoped, notwithstanding all the difficulties by which that course was encircled, that in the end he should be the humble instrument of softening down the acrimony of religious feelings, and of introducing a more harmonious state of things. It was the intention of the government to suppress the Roman Catholic Association; and he would ask, could it be doubted that the existence of such a body was inconsistent with the spirit of the constitution? Could it be suffered that a society of this kind, whose objects were indefinite, and might be changed at pleasure, could be allowed to exercise its power? Could it be denied that it was inconsistent with the public tranquillity and dangerous to the public safety? He believed that an immediate assent would be given to these different propositions; and their truth he could maintain by reference to a regular correspondence, which had been kept up with the government from various parts of Ireland. Whatever might be the feelings of gentlemen on other points contained in the Speech from the Throne, he was sure the House would look with approbation to the recommendation of his majesty in this particular—that they would enable his majesty to maintain his just authority, and therefore that they would, with that view, acquiesce in a legislative enactment, by which the future meetings of the Catholic Association would be prohibited and prevented. He believed that those who looked forward to the settlement of the Catholic question, who cherished the hope of seeing a conciliatory arrangement of the Roman Catholic claims speedily carried into effect—he believed that they must feel, that the continued existence of the Roman Catholic Association, during the discussion which must take place on that great question, would in itself oppose an almost insuperable barrier to the satisfactory accomplishment of the object which they had so much at heart. Where the passions were heated and excited to the extent to which they unfortunately were

in Ireland, the most devoted advocate of the Catholic claims must acknowledge, that the constant discussion of the measures, and intentions of government in the Association, would render it totally impossible for the legislature to arrive at any satisfactory adjustment of the question. He therefore would say to those who thought with him that it was necessary to put down the Association, that the time had come when that body ought to be suppressed, as dangerous and unconstitutional; and he asked of those who looked to the satisfactory settlement of the Catholic question as the only mode by which permanent tranquillity could be secured—he asked of them, on different grounds, to come to one common conclusion, for the benefit of that cause which they supported, for the general interest of the country, and for the ultimate advantage of religion itself; namely, that the Catholic Association should henceforth cease to exist.

His confidence in the intelligence of those persons, his firm reliance on their good sense—be the causes which gave rise to the Association what they might—relieved him from the necessity of dwelling on individual acts which had been done by the Catholic Association; but he thought that he was bound, as a vindication of the intended measures, to make some observations on the present state of society in Ireland, as constituting the justification of the demand for that additional authority, which the bill that he meant to propose would impart to the government. He should do this also with another view,—for the purpose of attempting to convince his hon. friends, who concurred in the same common view, as to the danger of granting concession to the Roman Catholics, of the necessity which existed for adopting a different course. He would lay before them some details of the present state of society in Ireland, in order that, having done so, he might lead them deliberately to consider, not merely whether additional powers were necessary for the executive government, but whether there was not just and sufficient grounds to break up the present state of things, with reference to the Roman Catholics, in Ireland. He would go into these details for the purpose of afterwards imploring them to consider dispassionately, whether there was a chance of permanent peace and tranquillity being maintained in Ireland, if the government remained divided as it had been—if the

House of Lords and the House of Commons were still to come to different conclusions with respect to that great question, which all admitted to be intimately connected with the happiness of the sister island. He would demand of them, whether it was possible to secure tranquillity in Ireland, if they went on, from year to year, as they had hitherto done, with the Catholic question. The parties for and against it were nicely balanced. At one time the supporters of the question were just strong enough to control those who were opposed to it. At another the opponents of the Roman Catholics were successful. If they were to proceed in this way, a majority of three appearing in favour of concession in one year, and a majority of six against it in the next, it was impossible to hope for tranquillity in Ireland: a state of extreme excitation must be the necessary consequence. In this manner they had been proceeding for the last sixteen years, and the same results would be obtained, if they pursued a similar course for a century. While such a state of disunion prevailed, was there, he would ask, on either side, the most distant hope of tranquillity for Ireland? He would assert that there was not. Some one therefore, must make sacrifices. [Hear, hear.] He knew that, according to the ideas of some, they might go on, as they had formerly done, opposing those opinions which were favourable to the Claims of the Roman Catholics. Certainly they might; but he contended, that if they did so, they would not consult the true interests of the British empire; and above all, they would not take the best course for giving security to the Protestants, nor for protecting the privileges of our Protestant constitution. It was because he felt this, it was because, looking back to the past, and forward to the future—he was persuaded, if the two parties remained so nicely balanced, that a gigantic power would rise out of their dissensions superior to them both; it was because this appeared inevitable to him, that he had taken a different course from that which he had formerly pursued. His great object was, to maintain the Protestant interest inviolable—to consult the safety of the Protestant establishment—and, at the same time, to ensure the peace and tranquillity of Ireland. He had not abandoned his opinions; but he had changed his course; and he contended that he had a

right to do so, when he considered the critical state of the country. There was at present, and there had long been, a nicely-balanced state of public opinion on this great question. That balance could not be maintained, beneficially for the empire; and it was impossible for them to go on any longer opposing and controlling each other, with different success, so far as respected this question. Those who watched with anxiety for the safety and security of the country, must see, that, by tranquillizing Ireland, they would ultimately promote the best interests of England. That which he recommended was not a measure forced on them by intimidation. They did not bow to any power: they judged and acted for themselves. They could not deny the fact, that, in carrying on the government of this country for the last five and twenty years, notwithstanding the strong opinion of his late majesty, with respect to the Catholic question, individuals friendly to that question were employed in the government. Hence division constantly arose. Mr. Pitt, whose opinions on this subject were well known, whose sentiments were on record, would not have retired from office, if it had been possible for him to have conducted this question, with adequate energy, to a successful conclusion. But, constituted as the administration was, that could not be effected; and, for the last twenty-five years, the government of the country had been confided to individuals, some of whom were in favour of, and others opposed to, the claims of the Roman Catholics. In times of great public danger, it was not difficult to induce men, though differing upon some points, to unite in one common course of action to avert a national calamity. Thus it was that Mr. Pitt, lord Melville, lord Castlereagh, and others who were friendly to the claims of the Catholics, were contented to act, at a period of peril, with men who felt differently on that subject; but still their disunion must have been attended with evil consequences. Now this very fact, that during the long period which he had mentioned, when the men who held the highest posts in the administration of the government entertained opinions favourable to the Roman Catholics, and yet could not effect their favourite object, convinced him, that for the future, they could not hope that an administration could possibly be formed, able to command the

confidence of this country, and to place Ireland permanently in a state of peace, unless there was an union of feeling upon this point.

That was the position which he was anxious to support; and if that position were true, as he believed it to be, he would entreat the House, and his honourable friends, to listen to some details relative to the present situation of Ireland, which had reference not only to the present measure but to that which would be brought forward at a future time; and, having heard those details, he would beg of them to reflect, whether it was wise or prudent, that the country should be governed by divided councils—he would entreat of them to consider seriously, whether something ought not to be done for the purpose of terminating that conflict of opinion which had so long divided the people of Ireland. He well knew the great unwillingness of individuals to hear details of this kind; but he believed, at the same time, that the deep anxiety which prevailed on this subject would overpower every feeling of that description, and would prevent the reference to those documents from being tedious to the House. He felt it the more necessary to call the attention of gentlemen to these statements, because in such details would be found the vindication of his character and conduct, for the step he had taken. The House would see in these statements, why he was inclined to think that there was more good to be derived in attempting a satisfactory adjustment of the Catholic question, than in leaving it in its present state of uncertainty. Gentlemen would perceive from a perusal of these documents, why he was of opinion, that there was more safety in that course for the empire, and more security for the Protestant interest and the Protestant establishment, than in suffering it to remain as it was, neglected or oppressed by a divided or a hostile government. He had extracted from the numerous and painful detail of unpleasant circumstances, which had pressed on the officers of the Irish government within the last six months to a greater degree than had ever before happened, sufficient, as he believed, to bear out all he had said. He had selected some specimens of the correspondence addressed to the government, which would show the critical state of Ireland. In doing this he could assure his honourable friends that he did not mean, in the

slightest degree, to alarm their pride; as men determined to resist intimidation: he wished merely to present the facts to them, and he would suggest to them a calm consideration of those facts, as men anxious for the safety of the country, and desirous of promoting the general peace and tranquillity. He would present these details; first, with reference to the public peace of Ireland as it had been endangered during the last six months; secondly, with reference to the state of society in Ireland, as regarded the relations between man and man; and, thirdly, as respected the interests of those whom it was confessed on all sides we were especially bound to protect—the interests of the Protestant population of that country. It was very well for some persons to exclaim, “Let us persevere in resisting those claims;” but what effect was such continued resistance likely to produce? He asked gentlemen to consider that point coolly and deliberately; and he conjured them, by the interest which they must feel in preserving tranquillity in Ireland, not precipitately to defeat a measure which was calculated to have the effect of securing peace and concord.

Soon after the close of the last session of parliament, his conviction was decided—his mind was perfectly made up on the subject—that it was absolutely necessary that the whole condition of Ireland should be taken into consideration, with a view to the permanent settlement of the question that regarded the civil disabilities of the Catholics, and he confessed that he did not anticipate that this determination would be so confirmed by the events which had intervened since that period. Let gentlemen observe, that he was not going to state any thing with a view to create alarm. He was not going to say, that there was any circumstance in what he was about to state, that could have the effect of forcing or compelling government to take any particular course. This empire was at peace with the whole world; but it was because we were at peace, that we ought not to lose the opportunity of setting this question at rest. It was because we had not for the last three or four hundred years been in such a state of tranquillity—It was because for the three hundred years our relations of amity had not been knit so closely with all the powers of the world as they were at that moment.—It was because the Protestant spirit of

Ireland had shewn a determination to resist and to sacrifice every thing in a struggle rather than their honour—It was because we were happily placed in such a situation as to be able to take any course which might appear to the House, fittest and best, that he now asked them to give the subject their most mature consideration, and implored them not to throw away the opportunity thus happily afforded them.

The first subject to which he should call the attention of the House was that which related to the preservation of the public peace in Ireland; and upon that subject he should lay before the House certain details which he had selected from the correspondence which had been submitted to his majesty's government during the last six months. Towards the close of the last summer, during the month of September, it was notorious that bands of peasants, to the number of eight or ten thousand paraded through various parts of the country in a sort of military array. Those assemblies consisted of various parties; their object was not directly to attack each other: they were assembled for purposes hardly to be defined; but still they presented an array such as no man could treat with contempt, or view without apprehension. It was better that they should know the whole truth; and he hoped the House would permit him to go through the correspondence to the extent which he might conceive necessary; not only to show that the measures he was about to propose were called for, but to give an answer to the question that had been so often put to him, as to what circumstances had induced him to arrive at a conclusion so different from that which he had heretofore formed? And here he would observe, that he had selected the letters which he was about to read to the House from the correspondence of persons of no side in politics, of no colour in party—from persons who could have had no possible motive for misleading the government—from persons who could not have desired to exaggerate their statements beyond the boundaries of truth. The state of Ireland for some time past was such as to oblige the government to employ persons who acted directly under the orders of the government, and who were to the government only responsible. They could, therefore, have had no possible object in mis-stating facts, or misleading the govern-

ment by which they were employed. The first letter he should read was one forwarded to the government by Major Carter—a gentleman whose name was universally respected in Ireland, and who was known to every individual in the House connected with that country to be as distinguished for the veracity of his statements, as for the urbanity of his manners and the energy of his conduct. This letter was as follows:—

“Cashel, 17th September, 1828.

“Sir; I have the honour to inform you, that, on Sunday, the 14th instant, there were three parades or assemblages of the peasantry, dressed and arrayed precisely as described in my former reports hereon; viz. at Templemore, seventeen miles hence, between three and four thousand cavalry and infantry, having drums, fifes, and banners, and attended by about ten thousand people, the majority carrying green branches; at Killenale, ten miles hence, fifteen hundred cavalry and infantry, accompanied by about six thousand attendants, with green boughs; and at Caher about the same number. No disturbance occurred at any of those meetings: they have been generally addressed by some influential person of their own class, who, after alluding in violent language to their political disabilities, and desiring them to continue united for the attainment of their object, then recommended them to relinquish old feuds, obey the laws, and thus render the interference of the police unnecessary. Although the usual appearance of those assemblages is ridiculous, yet they cannot be deemed contemptible, because they are in direct opposition to the admonitions of the priests, or interference of respectable farmers of their persuasion, who now find they cannot restrain or prohibit this display of a force mustered by parishes, and encouraging amongst them the worst of characters.”

WILLIAM GREGORY, esq., &c. &c. &c.”

He did not mean to say, that there had been any violations of the law by the persons assembled on these occasions, but yet it was such a demonstration of force, that it became imperative upon the government to check and control it by the demonstration of a force superior to it; and he had no hesitation in saying, that had his Majesty's Proclamation upon the subject not been promptly obeyed, it would have been controlled, if necessary, by the whole energies of the government of the country. It would be asked, whether these demonstrations intimidated the government? To that he would answer, that they did not. It was because they provoked a correspondent demonstration on the part of the Protestants. The appre-

hension was, not that the government would be stormed—not that the government was in danger—but that vengeance would be carried to a great height between two parties, natives of the same country, and differing only in respect to their religion. Government wished to prevent such meetings, either of Catholics or Protestants, and a proclamation, which must be known to every one, was published. Another gentleman, Major-general Thornton, had addressed the following letter to the Irish government :—

“ Armagh, Sept. 30th, 1828, half-past four, p. m.

“ My Lord ; with reference to my letter of yesterday, I beg to acquaint your lordship, for the information of the Lieutenant-general commanding, that in the course of last evening, the Sovereign of this City ascertained to a certainty that—had no intention of coming here this day, and in consequence sent off a communication to that effect to every neighbouring town or person supposed to have any leading influence among the Protestants, to prevent their proposed assembly here to-day, in that multitudinous crowd which was expected ; but, notwithstanding all the precautions taken for that purpose, and the vast numbers prevented from coming here, I am informed by the Sovereign that about twenty thousand had marched in, which they did, in separate divisions, according to the directions from whence they came, with drums and fifes, some few flags, many with orange and other coloured ribands, and a large proportion of them with fire-arms and other weapons.

“ The great body of them, however, have now left the town on their return home, and no doubt is entertained that the day will pass over without any serious outrage being committed.

“ The two companies of the 56th Regiment intended for Newry, which were halted here this day, will accordingly proceed to their destination to-morrow. I have, &c.

(Signed) WILLIAM THORNTON,
Major-General.”

The consequence of these movements was a determination on the part of his majesty's government, to suppress all such demonstrations, if it became necessary, by force ; and he had no doubt that by force the government could easily have effected that object. An hon. friend near him said, he was perfectly sure that such meetings might have been put down by force. To be sure they could. But he would ask his hon. friend, if the application of force had been successful, “ where should we have been then ?” To be sure, the government could have vindicated its

authority by force : it was certain to have succeeded ; but who could reflect upon the consequences without shuddering ? Instead of this, they issued a Proclamation which ran thus :—

“ A PROCLAMATION by the Lord Lieutenant-General and General Governor of Ireland.

“ ANGLESEY.

“ Whereas, in certain counties in this part of the United Kingdom, meetings of large numbers of his Majesty's subjects have been lately held, consisting of persons both on foot and on horseback, coming together from various and distant parts and places, acting in concert and under the command of leaders, and assuming the appearance of military array and discipline, or exhibiting other marks and symbols of illegal concert and union, to the great danger of the public peace, and to the well-founded terror and dread of his Majesty's peaceable and well-disposed subjects.

“ And whereas we have received information that in other parts certain persons have been passing through the country, provoking and exciting the assemblage of large bodies of people, for no purpose known to the law, to the great terror of his Majesty's subjects, and the endangering of the public peace and safety.

“ And whereas the meeting and assembling together in such numbers, and in such manner as aforesaid, and thereby occasioning such dread and terror, and endangering the public peace, is a manifest offence, and an open breach of the law, and such unlawful assemblies ought therefore to be suppressed and put down.

“ And whereas many well-affected but unwary persons may be seduced by divers specious pretences given out for the holding of such assemblies, and in ignorance of the law to frequent the same.

“ We, therefore, the Lord Lieutenant-general and General Governor of Ireland, being resolved to suppress and put down such illegal meetings, and to prevent the recurrence thereof, have thought fit to issue this Proclamation, solemnly and strictly warning all his Majesty's liege subjects from henceforth to discontinue the holding or attending any such meetings or assemblies as aforesaid ; and do charge and earnestly exhort them, to the utmost of their power, to discountenance all meetings and assemblies of a similar nature, and thereby to prevent the dangers and mischief consequent on the same ; and being determined and resolved strictly to enforce the law, and the penalties thereof, against persons offending in the premises, do charge and command all sheriffs, mayors, justices of the peace, and all other magistrates, officers, and others whom it may concern, to be aiding and assisting in the execution of the law, in preventing such meetings and assemblies from being held, and in the effectual dispersion and suppression of the same, and in the detection and prosecution of those who, after this notice, shall offend in the

respects aforesaid.—Given at his Majesty's Castle of Dublin this 30th day of September, 1828, by his Excellency's command,

(Signed) F. L. GOWER."

Providentially, the advice given in that Proclamation was not neglected. And let any one consider the system which prevailed in so many different parts of Ireland; let him consider, that a mere spark might have kindled one of the most fearful conflagrations—a conflagration to be quenched only in blood; and then let that person say, whether he did not rejoice with him that the Proclamation was obeyed, and that it was not necessary to have recourse to force. Would any one tell him that it was fear—that it was cowardice—that it was a discreditable feeling, from which this Proclamation emanated? He trusted not: he trusted that no man could doubt, that the feeling which dictated this Proclamation, was the dread lest it should be necessary to have recourse to a power which must have been effectual. This was the dread which his majesty's government entertained, when they viewed the actual condition of Ireland; and though it had been called cowardice and fear, he looked upon it as a legitimate and an honourable apprehension, which the boldest and the bravest might entertain and not blush to avow. He would read to the House the terms which were used by a distinguished officer—one of the bravest among the brave—a man who had distinguished himself by his skill and valour on so many occasions that it would be doing him injustice to name any specific instance. The gentleman to whom he alluded was general Thornton, who, speaking of the events at Ballibay, and of the anxiety which he felt to prevent the collision of parties which was there likely to take place, in reference to the conduct of Mr. Lawless, wrote thus to the noble Secretary for Ireland:—

"Armagh, Sept. 28th, 1828.

"My Lord; it is but fair in me to confess that I purposely used such language, with the view of better securing the ardent co-operation of that gentleman, to prevent, on the part of the Roman Catholics, any breach of the peace at Monaghan, knowing as I did, how highly their feelings had been excited on the 23rd instant, by their having been disappointed in their intention of proceeding in procession through the town of Ballibay, and uncertain as I was of the degree to which their irritation had been increased by the casualties which unfortunately occurred to two of their persuasion on the night of that day.

"It therefore appeared to me to be my paramount duty to use any and every means in my power to prevent a collision between the two parties, from which a flame would have inevitably arisen, and extended itself to a limit, beyond the possibility of conjecture; as the Lieutenant-general is aware that there was no adequate military force at hand, which in such a case could have been interposed, as its total amount at the three posts of Armagh, Monaghan and Clones, including the Gaol-guards at the two first-mentioned places, only amounted to about one hundred rank and file. Nor was there another soldier to be obtained at Monaghan beyond that number nearer than from a distance of twenty-five miles. I have the honour to be, &c.

(Signed) WILLIAM THORNTON,
Major-general."

Now, of the consequences that might have followed the collision, as far as the power of the country was concerned, general Thornton could have had no apprehension; but he had that honest, that legitimate apprehension, which led him to dread that inhabitants of the same country, that subjects of the same king, should be involved in all the horrors of civil commotion—a commotion in which the success of either part would have been an equal calamity. Like an honourable man he strove to avoid that which every well-wisher of his country would have regretted if it had happened.

Thus much, then, for the danger to which the tranquillity, the public peace of Ireland was exposed. Let the House now turn to the condition of private society in that country. This, he confessed, was the part of the subject that dwelt most heavily upon his mind. Dreadful as were civil commotions to those who engaged in them, they could excite no fear in him, no feeling in him, but that of commiseration for the unhappy persons who suffered by them. But when he looked at the state of society in Ireland, and at the condition of the Protestant inhabitants of that country, his mind was filled with the deepest apprehension. He would ask every gentleman to follow him in the statements which he was about to read, and to tell him whether such a condition of affairs could be allowed to remain.

"Nov. 10th, 1828.

"The constant travelling to which I am now subject has prevented me transmitting earlier, for your information, the usual report of outrages, &c., during the preceding month. The enclosed detail and summary of occurrences exhibit several instances of cattle houghed, three burnings, six cases of arms

taken, six threatening notices, one dwelling levelled, fourteen houses attacked, five persons assaulted, two of cattle stolen, one barony only in the county being free from crime. Two cases of decided resistance to the ordinary process of the law, in civil matters of property, obliged the sheriff to call out the military, in conjunction with the police; the first affair at —, on the 30th ult., where I attended him with thirty police and sixty regular infantry. He also brought a military and police force, accompanied by a magistrate. Authentic information having been received of the determination of the peasantry to resist with arms the sheriff, who had been forced to relinquish a former attempt to execute an *habere* on those lands; and, on the 6th instant, the sheriff was called upon by writ of assistance to protect, with military, &c., a receiver from the Court of Chancery, who had been threatened and forced to fly from some neighbouring lands, when endeavouring to distrain for rent, &c., under a decree of court; forty military were brought to support the police on this duty, and in both these cases the sheriff fully succeeded, from the awe produced by the forces employed. The animosity excited against those who have joined Brunswick clubs still prevails. Suspicion of belonging to such a society is sufficient to produce insult to the higher, and want of employment to the lower, orders. Recommendations for exclusive dealing are privately and publicly disseminated, and thus invidious distinctions are fomented between Protestants and Roman Catholics.

"In the barony of —, on the 22nd ult., the labourers employed by the — were compelled by a body of five hundred men to leave his potatoe digging. The same body dictated similar laws to the workmen engaged by three different Protestant gentlemen in the same remote part of the county, and some difficulty in procuring potatoe diggers has been experienced by other Protestants. But I trust the discretion of the priests (who have published their disapprobation of such combinations, in the address circulated by them in —, on the 26th ult., a copy of which I have transmitted) will correct this monstrous evil.

"I am led to believe the division of parishes into hundreds, with officers called 'Pacificators' and 'Regulators,' is proceeding; but I conceive the vigilance of many magistrates is directed attentively to such proceedings and the general excited state of the country.

(Signed)

"—, &c."

Now, he would not ask, what force could be applied here—what rigour of the law would remedy such a state of things? Was there not the clear indication of a diseased mind throughout the whole of these occurrences? He knew not what legal remedy could be effectual under such circumstances, or what hope could be rea-

sonably entertained, if they were to remain in the relevant position they had occupied for so many years past. Again, as to the state of society in Ireland, he begged the attention of the House to the following letter:—

"Clogher, Dec. 23rd, 1828.

"Sir;—I have the honour to enclose you a copy of an examination sworn before the magistrates at Augher petty sessions on this day, which can be corroborated by the testimony of probably fifty other respectable persons.

"I have to acquaint you, that party feeling has increased considerably in the town and vicinity of Augher, in this district, and has assumed such a formidable appearance as to cause a dread of the most alarming consequence to the peaceable and well-disposed inhabitants of that neighbourhood.

"I am further to acquaint you, that on the day mentioned in the examinations, there was a fair held in Augher, on which occasion I assembled all the men of my district, for the purpose of keeping order in it, and succeeded in doing so, and by the direction of the magistrates (previously received), I cleared every person out of the public-houses, and had them closed up by five o'clock, when all was perfectly tranquil; and I can almost say that not an individual, except the inhabitants of the town, remained in it after that hour.

"I am to add, that the party which entered Augher, at eight o'clock, about five hundred men in number, came from the neighbourhood of Through, in or on the mountainous borders of the county of Monaghan, and were, I understand, all Roman Catholics; they cried out 'Through for ever! Augher is our own.' The inhabitants then made an effort from their houses to drive them out of the town, and I am informed wounded many of them, none of whom, or their friends, have as yet come forward to make any statement respecting the matter. Intelligence of the attack on Augher having reached some of the Protestant party in the neighbourhood, they, I am informed, went in towards morning for the purpose of supporting their friends in the town, but as the party who entered early in the night had retired, the matter ended. (Signed) —"

Here there was a statement of many persons being wounded, but there was no manifestation of a disposition to make any application for redress to the law. The conflicting parties took the means of redress into their own hands; they awaited the opportunity of retaliation: and was this, he again asked, a state of things which, with any propriety, could be permitted by government to go on? After having been obliged, day after day, for four months, to read over documents and reports, of which what he had now read to the House were but specimens, was it to be made matter

of charge and blame against him, that rather than leave these things to go on, he had attempted a safe adjustment of the causes of the dissensions, from which this calamitous condition of affairs had sprung? In making this attempt to vindicate the authority of the law in Ireland, he was principally actuated by a desire to see the condition of the Protestants of Ireland altered and secured—to see Protestant interests and Protestant establishments no longer exposed to the dangers which menaced them. The protection of these objects were motives fully as strong with him as the reasonable gratification of the wishes and claims of others, in pursuing the course which a sense of duty on this occasion had pointed out to him. Let the House consider what was the present condition of the Protestants of Ireland—let them consider the threatening notices, in many instances, sent to them—the menaces of violence, and frequently the commission of violence upon them—the refusal, on the part of their Roman Catholic tenantry to work for them. They lived, not as we did, but in residences in remote places, and exposed to the greatest dangers. The authors of the attacks upon them he held in abhorrence: but, was he to stop there? Was he to be content to pity them, and leave them still unprotected? Let the House read the situation in which they are placed, from the following statement contained in a letter, addressed to major Warburton, of the police:—

“Nov. 6th, 1828.

“Sir;—I have to report that last night threatening notices were posted up on the house of —, and on other places on the Townlands (which are situated within a mile and a half of his post), desiring no person to attempt working for ‘the accursed —,’ as otherwise they should be treated with the utmost severity. The consequence is, the gentleman, who is extensive in farming, is left by all his workmen, who say they regret it, but would be afraid their houses would be consumed, or some other harm happen to their families, if they would, as they say, ‘go against captain Rock.’ The only cause I have heard assigned for this exclusive system being acted upon in this case is, that some days ago — attended a Brunswick-club meeting, and enrolled himself a member thereof. (Signed) —”

It would be unjust in him not to state that the gentleman referred to in this letter would not have attended this club, if it had not been for the threats which had been conveyed to him, and for the

preceding provocation he met with. He thought himself bound to state this, lest the contents of the letter should produce an effect which, from peculiar circumstances, it ought not to produce. Thus a gentleman, in extensive business, who had committed no legal offence, no act for which he could be called in question, was deserted by all his workmen, upon whom an influence was exercised which they were afraid to resist. He thought it necessary that these facts, which were material to a correct understanding of the subject, should be brought before the House, and he hoped, therefore, that no apology would be thought necessary for his reading them. The following letter was also addressed to major Warburton:—

“1st Nov. 1828.

“Sir;—I have had the honour of receiving your letter, covering one from Mr. —. I called on him yesterday, and from the information I received, as well as from my personal observation, I regret to say Mr. —’s statement is too true. He has a number of Roman Catholic tenants, and although they have no lease, and knowing he can dispossess them whenever he pleases, they all have refused to work for him. He told me if they persevered he was determined to turn every one of them out, and to send for Protestant tenants. I reasoned with him on this subject, and told him I thought it would be a very imprudent proceeding at this time, when the minds of the people were in such a state of fermentation. He seemed to agree in opinion with me, and said, if he was obliged to have recourse to such harsh measures, it would be with much reluctance; but he saw no other alternative left. He should either do that, or leave the country. This was a remedy which had not unfrequently been recommended, and which had been resorted to on many occasions.

“In short, Sir, it would be almost impossible to give a full statement of the unfortunate situation of affairs in this neighbourhood. Until some measures are taken to reconcile those party feelings which at present exist to such an alarming degree, I would most earnestly and respectfully suggest the necessity of augmenting the police stations at —, and —, and —; that constant patrols would be kept up both by day and night for some time, until the violent party feeling shall subside.—It would be a most fortunate circumstance for both parties if a reconciliation could be effected, for so violent is the feeling existing at present, that a Protestant could not go a mile from his own dwelling without running the risk of personal violence, or perhaps loss of life; and on the other hand, if the Catholics were literally famishing, they would not work a day for a Protestant. I have, &c.

(Signed) —”

The following letter, inclosing the preceding one, was forwarded by Major Warburton to government:—

“November 1st, 1828.

“My Lord;—I have the honour to enclose a report from Mr. ———, detailing the state of public feeling in the neighbourhood of ———. I shall write immediately to him to try every possible means to reconcile the parties. I fear, however, it is hopeless; and that the excitement will rather increase as the winter advances; the people there very seldom have much agricultural labour during the winter, and are so far independent of their employers, and at liberty to show hostility.

“With respect to Mr. ———’s suggestion to increase the police force, I really have not the power, without stripping other stations, or withdrawing them altogether; unless a strong force was sent, they would be ineffectual; and to send such, might only expose other districts to disturbance, by withdrawing the men from them. I request the honour of his excellency’s instructions on this point. I have, &c.

(Signed)

“The Lord F. L. Gower, &c. &c.”

He would read no more, but content himself with observing that this was a specimen of the correspondence which, for the last four months, had been poured into the office of the Home Department in Dublin. He had thought it necessary to call the attention of the House to these details, in order to prove, from sources which were indisputable, three things:—first, the dangers which threatened the public tranquillity in Ireland; secondly, the state of the intercourse between man and man; and thirdly, the position in which the Protestants were at present placed in Ireland. He was ready to confess, that the perusal of these communications, which were almost of daily recurrence, had made a deep impression on his mind. He did not entertain any apprehension that the government in Ireland would be endangered by civil commotions, nor, at the same time, was he quiet under the consciousness, that in the event of any such calamity the government was sure; for it was impossible for him not to see that the evils which had made this impression on him, sprang from a diseased mind; and seeing that, was it to be supposed that he could be so obdurate and insensible as not to wish that some remedy could be found for them? He would not exchange the feelings to which the perusal of these lamentable occurrences gave rise in his breast, for the reputation of the hardiest courage. But he had another

object in going through these details. He had gone through them for the purpose of entreating his honourable friends to give to these facts their most serious consideration, and then to figure to themselves what consequences they could reasonably expect if such a condition of things were allowed to remain without a remedy. He knew very well it had been said by some, that the only two measures that were necessary were, the suppression of the Catholic Association, and the abolition of the 40s. freeholders. He knew it had been said, that if the government would only act boldly, and press on those measures, no other would be necessary; much less such a one as that now in contemplation. But he called upon honourable gentlemen who held this language to consider calmly whether, in the present state of Ireland, these two measures, unaccompanied by any other, could receive the sanction of that House. He called upon them to consider, if these were the only measures which government ought to propose. It had been said, that if government were to propose them, there was no doubt they would succeed. He was ready to believe that such a proposition would receive much individual support; but he called upon them to look upon the present state of Ireland, and tell him if he, as an honest man, could advise the proposition of measures which, if they were to fail in carrying, would increase animosity where it already existed, and give rise to it where it did not. For his own part, he must be brought to act upon much less honourable motives than had ever yet actuated him, before he so far lost sight of the interests of the Protestants of Ireland, and of the safety of the Protestant institutions of the country, as to reconcile it to his mind to bring forward propositions which he knew could not be carried, and which alone he did not believe capable of restoring tranquillity to Ireland if they were carried.

He had thought it necessary to make this appeal to his hon. friends, and to notice, as he did not concur in them, the views which some hon. gentlemen entertained of the policy which ought to be pursued by the government towards Ireland. He trusted that the House would think that the details he had entered into justified the government in asking for more enlarged powers than they had at present. Doubtless the government

would be as blameable in asking for other powers, as they would be in exercising them in the absence of necessity; but, whatever opinion might be entertained upon what was called the Catholic question, he was sure there would be no difference upon the question of arming government with powers which, in all probability, would merely have the effect of removing the necessity of using them; but which at most, would merely add greater force, where greater force ought to exist in times which he would not anticipate. The only part of his task which it now remained for him to perform was, to state the nature of the measure which he was about to propose. He should propose such a measure as would suppress the Catholic Association, and interdict all meetings of a similar nature. The next consideration would be, by what provisions of law the intentions of the legislature should be expressed. They should be of such a nature as could not be evaded, and as would effectually prevent tricks and devices being resorted to, in order to keep within the letter of the law, while the spirit was infringed. If measures were worthy of receiving the deliberate sanction of the legislature, it was well worth while to take care that they should be obeyed. Measures passed by that House had been defeated; and the intention to defeat them had been signified, even before they were passed. In his opinion, it was much better that they should do nothing, and he would rather they did nothing, than that what they did should be evaded. By the act of 1825, it was intended to suppress the Catholic Association and other assemblies of a similar character. The provisions of that act, however, were so wide, that they would have interdicted almost any meeting, and it was therefore necessary that some meetings should be excepted from the operations of it. These exceptions consisted, for the most part, of meetings for the purposes of education, agriculture, commerce, religious worship, &c. It was perfectly notorious how many advantages had been taken of these exceptions—how many meetings for political purposes were assembled under the pretence of objects foreign from those the persons assembled had in view—how repeatedly the technical enactments of that measure had been complied with, while the spirit of it was violated. It was clear, then, that they

must enact a law more complete and more binding than the act to which he had referred—that the exceptions, in the proposed measure, must be much less numerous than they were in the last. He was not insensible to the difficulties of making such an act as, in the present state of Ireland, could not be evaded, unless, indeed, they were to pass a law, which there would be no difficulty in framing, that should effectually and at once suppress illegal meetings; but he very much doubted the propriety of such a measure, for it must declare that every political meeting was illegal; and if such a law were passed, and every body were left to enforce the provisions of it, he confessed that, as Ireland now was, he could not say that they would not be improperly enforced—that they would not be enforced for purposes, to say the least of them, very unjustifiable. In his opinion, the more they departed, in legislating on a subject like this, from the general principles of their laws, the more they stood in danger of having their enactments evaded. A more dangerous precedent than the successful evasion of acts of the legislature could scarcely be conceived. He proposed to meet this danger by the most effectual means that occurred to him, while at the same time he opposed the strongest barrier to individual abuse. It was the intention of his majesty's ministers to commit the enforcement of the law to one person only. It was their intention to commit to him, who was fully cognizant of the state of affairs in Ireland, and who was also responsible for the tranquillity of that country, the new powers with which the House were now asked to invest the executive government. He proposed to give to the lord-lieutenant, and to him alone, the power of suppressing any association or meeting which he might think dangerous to the public peace, or inconsistent with the due administration of the law; together with power to interdict the assembly of any meeting of which previous notice shall have been given, and which he shall think likely to endanger the public peace, or to prove inconsistent with the due administration of the law. In case it should be necessary to enforce the provisions of the law by which these powers would be conferred, it was proposed that the lord-lieutenant should be farther empowered to select two magistrates, for the purpose of suppressing the

meeting, and requiring the people immediately to disperse. It was proposed, moreover, to interdict any meeting or association which might be interdicted from assembling, or which might be suppressed, under this act, from receiving and placing at their control any monies, by the name of rent, or any other.

This was the general outline of the measure. He thought that moderate penalties would be sufficient for the infringement of this law; and he considered that it would be by no means necessary to propose any measures of a permanent nature. He was decidedly of opinion, that the measure ought to be limited. He was perfectly sure that parliament would not only continue these powers, but that they would consent to increase them, if such a case of necessity were made out. He was perfectly sure that there would not be the least hesitation, on the part of that House, to arm the government with such powers as they might require, if the public peace were endangered, after an adjustment of the other question had been made. That adjustment, he would repeat, would be founded upon a basis which it was hoped would satisfy every reasonable Protestant, and remove every just complaint on the part of the Catholics; and he could not bring himself to doubt, that after such an adjustment had been made, the Protestant mind would be so united, that the law would be effectually supported and upheld. But with respect to the duration of the law in contemplation. The late act was made to continue for two years, and to the end of the then next session of parliament. He proposed to make the present act of shorter duration—to limit it to one year and the end of the then next session of parliament; because he was satisfied, that there would be no objection to continue it, if there should be any necessity for its continuance.

He trusted he had proposed a measure, which would be deemed satisfactory by the House. He had endeavoured to propose a measure which should be as effectual as possible; at the same time, he had been anxious that the character of the measure should be such as to create no dangerous precedent. It was merely a temporary measure; and if the powers it conferred were of an extraordinary nature, it was because the state of Ireland required the application of an extraor-

dinary measure. Thus, then, he had endeavoured to perform the duty that had devolved upon him; first, by demonstrating the necessity of the measure; and secondly, by justifying the government in asking the House to consent to it, by the appeal which he had made to authentic sources of information. He had endeavoured, moreover, to perform this duty in such a manner as might not obstruct, in any way, the success of a still greater and more important measure. He would now move, "That leave be given to bring in a bill for the Suppression of dangerous Associations or Assemblies in Ireland."

Lord *Althorp* expressed his great satisfaction at the tone of moderation which characterised the speech of the right hon. gentleman. The language and manner of his speech must greatly contribute to the conciliation of every party. As the right hon. gentleman had stated, that the present measure was absolutely necessary for the pacification of Ireland, and as it was to be followed up by another important measure, he did not, under the circumstances stated by the right hon. gentleman, feel himself justified in withholding his assent from it. He could not give his warm support to that which was in itself a restrictive measure; yet his reluctance to withhold his assent from it was overcome by the circumstance stated by the right hon. gentleman. Another reason which weighed with him in not refusing his assent to this measure was, that it was not proposed to extend the powers of it to magistrates. The powers of it were to be intrusted to the lord-lieutenant, who was responsible to that House for the mode in which those powers were administered. He did not feel himself called upon to object to the motion for the following reasons: In the first place, he thought it a great merit in the proposed measure, that it was to be in force for so short a time. It was highly desirable, whenever such a proposition was adopted, that it should be adopted for as short a time as possible. Then, the very extraordinary nature of the proposed powers themselves rendered the granting of them the less dangerous; for no legislature could consent to their renewal, except under very peculiar circumstances. For all these reasons he reluctantly assented to the motion. After the statement which had been made by the right hon. gentleman,

that the adoption of the present proposition was essential to the carrying of the great question of Catholic Emancipation, he was satisfied to consent to it.

Mr. *Villiers Stuart* said, that, after the candid manner in which the right hon. gentleman had made his statement to the House, he would trouble them with only a few words, for the purpose of explaining the reasons which induced him to support the motion. He begged the House to believe, that in becoming a Member of the Catholic Association, he had one object, and only one object, in view; namely, by uniting himself with the Catholic body to assist them in working out their relief from the disabilities under which they had so long, and, as he thought, so unjustly laboured. The communication made in the King's Speech, at the opening of the Session, convinced him that that object was not far from being attained. Having faith in his majesty's ministers, that they would use the power and influence which they possessed for the purpose of repealing those disabilities, he had a right to consider the emancipation of the Catholics as already achieved. On those grounds it was at once evident, that the power and the necessity of the Catholic Association were at an end. He might perhaps be permitted to regret that the Association had not been allowed to die of itself, which it assuredly would have done when the political disabilities of the Catholics had terminated. Without the repeal of those disabilities he was convinced that any measure which the legislature might adopt for the suppression of the Catholic Association would be of little avail. There was a power in their union against which all parliamentary enactments would prove but so much waste paper. It always, therefore, appeared to him that the emancipation of the Catholics and the dissolution of the Catholic Association ought to have been contemporaneous measures. However, on the distinct understanding, that the faith of government was pledged to use all their influence to procure the immediate repeal of the Catholic disabilities, he should not object to the present order of proceeding. The present was not a fit opportunity for extraneous remarks; but he begged leave to offer to government his sincere acknowledgments, and to the country at large his warm congratulations, on the wise, liberal, and enlightened line of policy, which it had

pleased his majesty's ministers to adopt, with reference to the present question. He hoped that the details of the second measure would prove worthy of the grand principle which was involved in it, and that it would be clogged as little as possible with any unseemly clauses in the shape of securities; being convinced that the best and indeed the only security which the Protestants could enjoy was, to place their Catholic fellow-subjects in the same situation as themselves. If, however, the measure should be accompanied by only such provisions as, while they might tend to diminish the fears of the more timid portion of the Protestant community, would not trench on the liberties or privileges of the Catholics, those provisions should have his cordial support. But he would reserve any further observations until the Bill should be before the House.

Mr. *Stanley*, after complimenting the right hon. Secretary of State on the clearness and ability of his statements, said, that if the proposed measure were one of restriction, substantively distinct from any other, not even the statements of the right hon. gentleman, nor the arguments by which he had accompanied them, would have induced him, or any other hon. member on his side of the House, to accede to the proposed motion. In the first place, therefore, he begged it to be distinctly understood, that if he or they acceded to this measure, it was not as a measure standing by itself, but as a measure forming a part of a great whole—as a measure of temporary coercion, which was to be accompanied by a measure of permanent conciliation. It was not to be disguised—nay, the right hon. gentleman himself avowed it—that the bill which was about to be brought in was for the suppression, not of associations generally, but of the Catholic Association in particular. With regard to that body, although he was far from approving the whole of their conduct—although he thought they had shown much folly, and had frequently injured their own cause, and retarded the attainment of their own ends—he, nevertheless, could not consent to stigmatise them with all the epithets which were applied to them in the Speech from the Throne, and in the Address from that House, which was an echo of the Speech. It was true that the existence of such an institution was inconsistent with the spirit

of the constitution: But oppression and exclusion were also inconsistent with the spirit of the constitution; and it was not inconsistent with the spirit of the constitution, that those who were oppressed and excluded should endeavour to make their grievances known, or should endeavour to strengthen themselves by union, for the purpose of obtaining that justice, in their collective capacity, which was hopeless while they sought for it as individuals. It was true that the existence of such an institution was dangerous. It was dangerous that the people of a country should look up to any public body distinct from the government, opposed to the government, and monopolising their attachment and obedience. This was the danger which the right hon. gentleman said it was necessary parliament should consider of the best mode of terminating. Now, in his opinion, it was already terminated. He thanked God that he could conscientiously say, that he considered the power, and consequently the danger, of the Catholic Association to be now at an end. He had often felt it his painful duty to differ from the right hon. gentleman upon many questions, and upon none more decidedly than upon this vital question of affording relief to the Roman Catholics; but he should feel ashamed of himself if he hesitated to come forward and express his opinion, that the right hon. gentleman had done himself the highest credit by the course which he had pursued, in the difficult situation in which he found himself placed. No man who had listened to the various speeches which had been made by the right hon. gentleman, but must be quite sensible, that he felt deeply the sacrifices which a sense of duty compelled him to make. To that rigid sense of duty the right hon. gentleman had evidently sacrificed all private, all personal, considerations. He had sacrificed—and he must have well known at the time that he was doing so—the power and influence which he had long possessed over a large and respectable body of individuals. He had even sacrificed something of reputation. He had sacrificed all this; and yet, in his opinion, the right hon. gentleman had conducted himself with perfect consistency and honour. The right hon. gentleman had found himself placed between two difficulties, from which it was impossible for him to extricate himself. He had found himself under the necessity of abandoning

the course which he had so long and so conscientiously pursued. He had only a choice of evils. He did choose, and at a great sacrifice to himself, and thereby proved himself superior to that feeling of pride, which would dignify a pertinacious adherence to an opinion once expressed, by the name of consistency, and showed that he was not afraid to be thought to have been bullied or intimidated. He might, if he had chosen to retire from office, have received the praise of his party, and been lauded to the skies as the victim and martyr of Protestantism. But by so doing, he might have done much to render more difficult the settlement of that question, which, for the good of the empire, was now about to be carried—which had convulsed the country from one end to the other—and without the settlement of which, it was in vain to look for the establishment of peace or prosperity in the land. He might have gained a temporary popularity, but he would have failed in his duty to his country;—he might have preserved his consistency, but it would have been at the price of the tranquillity, and the security of the empire. In congratulating the country on the settlement of this great question, it was impossible for any man on his side of the House to pause for a moment to advert to those by whom it was at length carried. It was impossible that those who had always thought with him on the subject could stop to regret that they had not themselves been able to accomplish the measure, which they had so long and so perseveringly advocated. Let it be their satisfactory consolation, that their persevering endeavours had led to the present happy result; that the cause of truth, the cause of justice, the cause of liberality, was finally triumphant; for the faction by whom it was still opposed were as insignificant in numbers, as they were undistinguished by talent—a faction who resisted every thing in the shape of improvement, or amelioration, in defiance of all changes in circumstances or time; a faction who, having formerly laid claim to exclusive loyalty, now indulged in the most vehement vituperation of his majesty's government, scarcely exceeded by the seditious language in which the printed organs of their political opinions vented their hireling effusions; effusions which would put to the blush the harangues of the most petulant agitators in Ireland. He considered the

two great questions as intimately connected. But, although unless they were so, he could not agree to the measure at present proposed; although he was convinced that unless they were so, the measure at present proposed would be worse than nugatory—that it would be destructive to the peace of the empire; yet he could not conceal from himself or from the House, that it was impossible to expect that any measure whatever could at once put an end to all the distresses and difficulties, which a long course of bad government had entailed on Ireland. Nothing short of omnipotent power could by one word bring light out of darkness, or order out of chaos. The Almighty alone could give forth the splendid fiat, “Let there be light, and there was light;” “rebuke the winds and seas, and immediately there was a great calm.” It was not to be supposed that the settlement of this great question, which, during so long a period, had continued to convulse the whole of Ireland, which had been the cause of agitation and disturbance; had interrupted all the social relations, broken down the political institutions, poisoned the fountain of justice at its very source, and made the constitution, as it were, a dead letter,—it was not to be supposed that the settlement of this question, and the repeal of the existing disabilities, would put an end at once to such a state of things. It could not be supposed that men accustomed to consider the law not as a protection, not as a wholesome restraint, but as a severe and arbitrary curb as fetters upon their rights, should at once settle into habits of tranquillity and obedience, or look at the law with the same feeling as, he was happy to say, it was regarded in this part of the empire. In the present state of Ireland, it was not only expedient, but absolutely necessary, that there should be a strong government,—that there should be a government capable, when all the causes of injustice, and all real grievances were removed, to make the people feel that there was a power, strengthened by justice, able to maintain the law. He did not hesitate to say, that, as an accompanying measure with conciliation, ministers could not have done less than ask for the powers they had now asked for. If the right hon. gentleman had asked for permanent power, he would have been the first to oppose the granting of it. But, as a measure, not permanent infringement on the constitu-

tion, but as a temporary deviation therefrom, giving those powers necessary at the present moment, he assented to it, with the strict understanding that the measure of conciliation would follow close upon the heels of the measure of coercion.

Sir *E. Knatchbull* assured the House, that, when he came down it was not with the slightest intention of uttering a single word on the present question. He had attended in his place merely for the purpose of giving a fair and candid hearing to the statement of the right hon. Secretary; nor should he have broken silence, had it not been for some of the observations which fell from the hon. gentleman who had just spoken. That the hon. gentleman and himself differed in opinion on the Catholic question was well known. As he, on the one hand, readily admitted that the opinions entertained by the hon. gentleman were entertained by him in perfect sincerity, fairness, and good feeling, so he expected, on the other hand, that the hon. gentleman would allow that he also was influenced in his opinions by similar sentiments. He was not conscious of having indulged in any of the vituperation attributed by the hon. gentleman to those who opposed the course at present pursued by his majesty's government; and he thought the charge an unfair one. With respect to the measure proposed by the right hon. Secretary, he was ready to give his concurrence thereto, but he was afraid that concurrence was not founded on the same grounds as those adduced by the right hon. Secretary, or the hon. gentleman who had last spoken. He certainly believed it to be essential to the safety of Ireland that the Catholic Association should no longer exist; but whether if the necessity of extinguishing it was now conceded, he would put it to the country and to the government whether the same necessity did not long ago exist? It was an association, the character of which was always dangerous to the tranquillity of the country. He had always thought that, when the Act of 1825 was found insufficient by the government, for the purposes for which it was intended, they ought to have come down to parliament and asked for an extension of their powers. He was sorry they had not done so. But he would ask, what new circumstances had transpired during the last six months, to induce government now to come forward to ask for fresh powers, and even to couple the suppression of the Association with

measures of concession? He had listened with attention to the information which the organ of government had laid before that House, but he confessed he saw nothing in it to justify the measures now intended. There had been nothing disclosed that night for which precedents might not have been found, in any given number of months of the existence of the Association. Was there any thing new in their violence, any fresh feature in the aspect of society, any fresh disorder in Ireland during the last six months, which had not made its appearance during the unfortunate reign of captain Rock? As far as the House could judge, there was nothing in the incidents of the last six months, which were not of frequent and ancient occurrence, and which might not have justified ministers in coming to the House long ago.—With respect to the great question of Catholic Emancipation, all that he should now say upon it was, that nothing he had hitherto heard had changed his opinion respecting it. It was, however, impossible for him not shortly to advert to the situation in which he and others had been unfortunately placed by the singular course adopted by one on whose advice and support upon that question, they had been accustomed to rely. And here he begged to say, that if any thing which dropped from him, either on the present or any other occasion, should appear to involve any disrespectful remark on the right hon. Secretary of State, he trusted that it would not be so construed. He must, however, observe, that he was at a loss to account for the manner in which the right hon. gentleman last summer allowed himself to be cheered throughout England, as the champion of the Protestant cause, although at the very moment he knew that he had changed his mind upon the subject, and was about to take his present course. He knew it was the duty of all men, when they were convinced of their error to retract; but the right hon. gentleman had stated, that he still entertained the same opinion on the question of the Catholic claims, though the circumstances of the country had compelled him to adopt a different course with respect to it. The right hon. gentleman anticipated with much confidence the reunion of the Protestant mind after the proposed measure should be carried. He trusted and hoped that reunion would take place; but there was one circumstance which he should regret as long

as he lived, and that was, that that reunion would not take place under the power, authority, and auspices of the man under whom they had hitherto ranged themselves.

Mr. Secretary *Peel*, in answer to the statement of the hon. baronet, that he had allowed himself to be cheered through the country last summer as the champion of the Protestant cause, when he must be conscious of the course which it was his intention to pursue, declared upon his honour that, at the time to which the hon. baronet alluded, although he had made up his mind with respect to the course which he should pursue, he had every reason to cherish a sanguine hope that he should be allowed to take that course as a private individual, unfettered by office. A circumstance had, however, occurred, which left him no alternative on the subject; but the time had not yet come, at which he could fully explain that circumstance.

Mr. *G. Moore* said, that he did not rise to oppose the motion then before the House, and he should, perhaps, have been content to have given a silent vote upon the present occasion, if he had not been induced to come forward in consequence of what had fallen from some hon. gentleman on the other side. No one was more aware than he was of the necessity of the measure now before the House.

He had repeatedly and urgently, both in that House and out of it, pressed upon the consideration of government and the legislature the necessity of suppressing this illegal and unconstitutional body. It would be recollected by some hon. members that twelve months ago he had introduced this vital question to their notice, and had called upon them to adopt the very measure which was now recommended by the government; and he had at that time, not only pointed out the existence, but demonstrated the certainty and extent of the evil which resulted from the proceedings of the Catholic Association. That Association, by its unconstitutional proceedings, and its inflammatory harangues, had excited and kept alive those animosities and distractions, the existence of which hon. members opposite so much lamented.—The Catholic Association had gone further than any body which had ever existed in Ireland, to disturb the peace of the country, and shake the authority of the throne. When he said, that he gave his support to

the motion of the right hon. gentleman, he did not need to add, that he did so on grounds very different from those on which it had been assented to by the hon. gentleman and the noble lord opposite. They said, that they supported this measure because they considered it necessary to the success of the ulterior measures which were in contemplation. But he gave his support to the present measure in spite of the chance of success which the passing of the present measure would afford to those which were to succeed it. The right hon. Secretary had given to the House a detailed statement of the facts upon which he professed to found the measures in contemplation. He gave full credit to every one of the statements which had been made by his right hon. friend, and he fully concurred in the faithfulness of the picture which had been drawn of the state of society in Ireland, as derived from those facts which he had stated to the House.—But he thought that he was entitled to ask, from what source his right hon. friend had obtained his information? If society in Ireland was disorganized—if the worst passions of human nature were excited—if one part of the population was arrayed in hostility against the other—by whom had these consequences been produced? He would answer, by the Catholic Association. If the public safety had been endangered—if the authority of government had been defied—if the most important relations of civil life had been dissolved—to whom could they attribute such melancholy effects, but to the Catholic Association? If tenants had been compelled to enter into opposition with their landlords—if the civil organization of the country had been dissolved, and a military organization substituted in its room—to whom were we indebted for this monstrous condition of affairs but to the Catholic Association; was there any person in or out of that House who had attended to the proceedings of that Association, and who could doubt that the language which was continually uttered there was calculated to excite the passions of the people to the highest pitch of violence? Was there any man who could doubt that all those rebellious demonstrations which were calculated and intended to intimidate the government proceeded from the operations of the Catholic Association? He was quite willing to give entire credit to the statement which had been made by his right hon.

friend, for the purpose of proving that, with a divided cabinet, it would not be possible to carry with success this preliminary measure, which all admitted to be one of absolute necessity. But what a practical illustration did not this admission afford of one branch of the evils which must result from the measures in contemplation? When Catholics should be introduced into the councils of the sovereign, and into the chambers of the legislature, they would naturally be always desirous of promoting the objects best calculated to advance their peculiar interests. If, then, the voices of senators and councillors were to have any weight, what perpetual sources of discord and disunion were provided by the proposed measures! These considerations he thought worthy of attention when they were called on to purchase a precarious security by a surrender of the constitution, to dissolve that principle which formed the essential bond of cohesion in the integrity of our constitution, and to re-construct the constitution itself upon new grounds. He could assure his right hon. friend that he made a very wrong estimate of the Protestant feeling of Ireland when he said that it was necessary for their safety and comfort that the measure of emancipation should be carried. He even thought that the right hon. gentleman himself was convinced that he had made a very false estimate of the present condition and disposition of the Protestants of Ireland; for he had, in the course of the last session, presented to that House a petition from the Protestants of Ireland of all ranks and conditions, including a great number who were not only well acquainted with the sentiments of their fellow Protestants, but also of their Roman Catholic fellow-subjects, and who, therefore, were in full possession of all the information which could qualify them for coming to a sound conclusion upon the subject. But, numerous, influential, and respectable, as were the individuals whose names were attached to that petition, the names which should very soon be forwarded from Ireland would be infinitely more so. He had but one observation to make upon the nature of the measures about to be brought forward. He agreed with the right hon. gentleman that it was extremely difficult to frame a measure which should so distinctly and specifically bind a certain class of offences, as to ensure the success of any prosecution

which should be instituted for a violation of the law. This difficulty had been felt in framing the Unlawful Societies' bill of 1825, and would, he thought, be found to exist in reference to the measure which was the subject of the present motion.—When, however, his right hon. friend said, that the administration of the proposed restrictive law, and the nature of the cases to which it was to be applied, were to be left entirely at the discretion of the lord-lieutenant, this was a matter which, in his mind, excited very serious reflections. He did not mean to say that, if the law was not sufficient for the suppression of this illegal assembly, the proper authorities ought not to be invested with the power of suppressing it; nor did he mean to say that, according to the proposed arrangement, the power of applying the law would not be deposited in the most proper hands. He hoped, however, that the measure to be adopted would not only be sufficient to suppress the present Association, but to prevent the revival of it, or of any similar body at any future period. He hoped, however, that, whilst the contemplated measure answered the description which he had given, it would not in any degree infringe on the liberty of his majesty's loyal subjects in Ireland, who had been always ready, on the first intimation, to bow to the laws of the country. In 1825, when the bill for the suppression of Secret Societies in Ireland was passed, there existed in that country a number of Orange societies of high respectability, and which had been long established: no sooner, however, was the act in question passed, than those bodies assembled and dissolved themselves; thus giving the most undoubted proof of their loyalty by anticipating the wishes of government.

Sir *Joseph Yorke* said, he did not intend to follow the last speaker through his long, learned, and luminous speech. He must protest against an hon. member on the other side, who had declared, that all those who voted for the measure at present before the House, were bound to support the one which was expected to follow. He considered the present measure to be the first chapter of the acts of the Apostles, by which a final settlement was to be made of all matters connected with the Catholic question. His principle object in rising was, to ask the hon. member of the Catholic Association, whom he saw in his place, whether he was present in

that Assembly on the last occasion on which it met previously to the "Great Agitator" taking his departure for this country? The hon. and learned member who spoke last had attributed the most extraordinary influence to the Association. According to him, the Association had succeeded in making pigs, poultry, and potatoes clamorous for the removal of disabilities. Never was there such an extraordinary power as this. Now, he wished to ask whether, on the occasion to which he alluded, the "Great Agitator" (he would mention no names) did not say, that unless unqualified emancipation were granted, the Association would continue to meet; and furthermore, that when he came into that House, which from an exceedingly long letter which had been published, it appeared he hoped to accomplish by getting rid of parliamentary law and relying on the common law, the first thing he would do would be to propose the dissolution of the hated Union? He was not aware that the hon. member of the Catholic Association over the way had employed any of his eloquence in soothing the ardent temper of the "Great Agitator." On another occasion it was reported that the "Great Agitator" said, it had taken him only six hours to get rid of the bill, the concocting of which occupied the ministry six weeks, in 1825. If his right hon. friend did not take care how he framed his new bill, perhaps this person might again slip his neck out of the collar, and set up another Catholic Association.

Mr. *V. Stuart* said, he was sorry it was not in his power to give the gallant admiral the information which he required. He was, however, happy to acquaint the gallant officer that the member for Clare had arrived in town, and would, he was sure, be happy to afford to the gallant admiral any information in his power, with respect to the proceedings of the Association.

Mr. *W. O'Brien* expressed his concurrence in any act which would put an end to the ascendancy of a faction, which already revelled in the anticipated triumph of a civil war. If any thing could enhance the value of this gift, it would be the grace and dignity with which it was conferred. He was sure he spoke the language of the Catholics of Ireland, when he said, that they felt grateful to the sovereign for the boon which was offered them.

Lord *Milton* said, he did not feel himself called upon to answer what had been said respecting the proceedings of the Catholic Association, or what had been uttered by its members. He could only answer for himself; and he must say, that, unless the present measure were to be accompanied by unqualified emancipation, it would not be in his power to give it his assent. He thought he could prove to his hon. and gallant friend that he also was bound to give his assent to the measure which was to follow, because he had said, that he considered the present bill only as the first chapter; and it appeared to him that a first must be succeeded by a second. Unless it were to be so followed, he must say that he would not acquiesce in it, for unqualified emancipation was the only terms on which he could support the bill before the House. He fully agreed with the right hon. Secretary who had introduced the bill, that its anomalous character, and the extraordinary powers which it conferred on the lord lieutenant, made it less objectionable than if it had been more compatible with what was considered the established form of the constitution. He thought it much less likely to injure the constitution, or the cause of liberty, by a measure which was anomalous and temporary, than by adopting any proceeding of a permanent character. The principal reason which had induced him to rise was, that he might be able, in some degree, to vindicate the accused Association from the attacks which had been made upon it. He thought that what had been urged against the Association was unfounded and unjust. He should first allude to one attack which had been made by an hon. baronet, the member for Kent. The hon. baronet had seemed to think, that the Catholic Association had been guilty of every crime which it was possible for any men claiming or worthy of trust to commit. For his part, he thought the Irish, as well as the people of this country, greatly indebted to the Catholic Association. He would not deny that some individuals of the Association, who were smarting under unredressed wrongs, had occasionally been diverted into language not altogether consistent with perfect wisdom: but, on the other hand, he must say, that by embodying the public mind of the Catholic population of Ireland in a form not absolutely illegal, they had been of great benefit in preventing those outrages which must otherwise

have broken out, and of which the country had for many years been in danger. It was not merely the Roman Catholics, it was not merely Ireland, but it was the empire at large that had been indebted, and deeply indebted, to the Catholic Association. Proud should he feel, if he could be useful in forwarding the determination of government; and if what had been called the second chapter was to be granted, he thought the government entitled to say, that the Catholic Association should cease to exist. But if the second chapter should not, by any unfortunate circumstance, be carried into effect, at the period when this bill should expire, it would be very difficult to persuade him to assent to any measure calculated to prevent the revival of such an Association. No man could deny that our Catholic fellow subjects had serious grievances to complain of; and it was infinitely better that a body of men, having such grievances, should have an organ, like the Association, for the expression of their wrongs, and for the devising of measures of redress, than that they should, under the pressure of their wrongs, be betrayed into acts of outrage and violence. He could not, therefore, concur with the expressions of the hon. member for Kent, nor in those which the hon. and learned member for Dublin had used, in disparagement of the Catholic Association. With reference to the hon. baronet, the member for Kent, he was not surprised at the great warmth he had manifested on the present occasion; for undoubtedly there were some expressions which fell from the hon. member for Preston which, although not applicable to the members of that House, might nevertheless excite uncomfortable feelings in the minds of those persons who thought themselves designated by them. He was convinced that they were not meant to allude to any of the members of that House. He hoped that the measures, in all their stages, would be discussed with that temper which would bring them to a successful termination. The hon. member for Kent had said, that he should have esteemed the right hon. Secretary more, if he had continued at the head of the party to which the hon. member belonged; but he would remind the hon. baronet of what the right hon. gentleman had said on a former night; namely, that there were occasions when sacrifices must be made by some party, and in such cases those who made the greatest sacri-

fices were entitled to the greatest praise. If evidence were wanted, the proceedings of last night afforded strong proof of the fact that the right hon. gentleman had made the greatest sacrifices with regard to this question. So far from being deserving of attack for his conduct, the right hon. gentleman should be considered worthy of the applause and gratitude of his country. By sacrificing an apparent consistency, by maintaining which he would still have continued at the head of a great and powerful party in the country, he had raised himself in the estimation of all who were capable of estimating what conduct ought to be pursued by an honourable man on such trying occasions.

Lord *Morpeth* said, he had not hitherto obtruded himself upon the House, partly because the sentiments which he must have felt on this occasion had been much more eloquently expressed by others, and partly because he did not wish to obstruct the general current of feeling, which seemed to have set in favour of the measures about to be adopted by the government. With regard to the measure proposed that evening by the right hon. gentleman, he did not feel disposed to quarrel with it; for, considering all things, the proposition was made as moderate as could, under the circumstances, be expected. He must however say, that he perfectly agreed with those who thought that the grant of emancipation was the best and indeed the only way of dissolving the Association. When the great measure had been determined on, to talk of the other seemed only a piece of tautology. The hon. member for Dublin had called that Association unconstitutional, inflammatory, and subversive of civil liberty and social order. This language was natural enough in those who obstinately adhered to the illiberal opinions which were now almost universally exploded. But he believed that whatever mistakes and errors the Catholic Association might have fallen into, they had paved the way, not only for the successful progress of the Catholic question, but, he thanked God, to the successful termination of the whole dispute. The hon. member for Dublin had charged them with having been guilty of almost every species of crime, and of all the insubordination which had been so fearfully described in the extracts which had been read by the right hon. gentleman from the correspondence of those best qualified to form a judgment upon the

subject. But if the hon. member had not been less anxious to ascertain the truth than to conciliate a party, he would have found that these alleged peace-breakers, had oftentimes been the preservers of the peace; and he hoped that they would be in too good a humour with the present posture of their affairs to take any offence at what the learned member said. However, he was now called upon to consent to a law for their suppression, and in this vote, under present circumstances, he felt himself prepared cheerfully to join; but he was not sorry to have the opportunity of expressing the feelings which accompanied him in giving that concurrence. He felt willing to concede to the right hon. the Secretary of State, that it might have been prudent, in achieving this great rite of national justice, to offer up some provisional sacrifice! But it was not customary to lead the victim to the altar amidst the hootings or the peltings of the crowd, but rather to invest him with sanctity of character: so he hoped that the legislature would not think it necessary, in the present case, to insult whilst they immolated, or to trample upon the victim after they had struck it to the earth. He hoped, however, that nothing he had said could lead any one to suppose that he wished to detract from the merits of those to whom they were indebted for this great national achievement. The author of a late esteemed work had said, in dedicating it to the duke of Wellington, that he now understood why the soldiers of the tenth legion were so much attached to the person and fortunes of Cæsar. To the British hero was, he trusted, reserved the greater glory of extending the attachment from the soldiers of a legion to the citizens of an empire. Having lately had an opportunity of visiting Ireland, he could the more feelingly appreciate the advantages which must accrue to those who were to be affected by this great measure. He therefore personally felt doubly thankful for this decision of ministers, for it had converted him from a witness of the wrongs of Ireland to a prophet of her gratitude.

Mr. *Robert Grant* said, that without the slightest feeling of disrespect towards the right hon. Secretary, and still less from any desire to embarrass him in the difficult and delicate situation in which he was placed, he felt bound to declare that he had not been able to collect from the right hon. gentleman's speech any distinct grounds

for the adoption of the important measure now proposed. The right hon. gentleman's speech consisted but of two arguments—and a disquisition of the evils of the present state of society in the sister kingdom. This was all which the right hon. gentleman's speech contained. But what did that establish?—not the necessity of the present measure, but of that ulterior measure to which it had reference. He must beg to say, that in the same degree in which the right hon. gentleman's arguments established the necessity of the ulterior measure, it weakened the grounds of that now before the House. The observations of the hon. baronet, the member for Kent, resolved themselves into the question, that if the measure before the House was necessary at present, why was it not necessary three or four years ago? The fact was, that the Catholic Association was a body which owed its existence to the present state of the law; and any argument in support of its suppression, more strongly marked the necessity of that ulterior measure, the announcement of which had given such general satisfaction to the House and the country. Having said thus much upon the general question, he must add, that he was, upon principle, averse to that general system of legislation for Ireland, which had for its object merely the preservation of present tranquillity at the expence of the general welfare and prosperity of that country. He thought it rather injurious to couple the proposed measure with that great and important one about to be introduced, or rather to make this the preliminary step to the other. That other measure he looked upon as a safe, a wise and a just one; a measure calculated to secure the peace and tranquillity of the sister kingdom. But while he delivered these as his opinions, he begged to add that he intended to support the motion; and he would shortly state the grounds upon which he did so. The House would recollect, that there was this difference between the present and former state of the Catholic Question—that if emancipation were to be ultimately denied, then it would make little difference whether this bill were passed or not; it would, in fact, be but adding one drop to the cauldron already boiling over; whereas, if the other measure were to follow, the evil, if at all felt, would be only temporary. Looking, therefore, at the mischiefs of this measure on the one hand, and the great blessings of concession on

the other, he was prepared to act in unison with the feeling of all who admitted that concession would be a blessing, and to bestow unlimited approbation on those by whom that salutary work had been commenced. Parliament, he thought, would best discharge its duty to the country by giving its full confidence to the monarch, whose British heart, and to the minister, whose wise understanding, had suggested this great national measure. He admitted that the government of the noble duke might see a good reason for the course they proposed to pursue. He had listened to the statement made that evening, and though he did not believe that any of the proceedings of the Association were secrets—for the whole of their proceedings lay on the surface, and could be known at a glance; still there might exist circumstances, and he knew there existed prejudices, which might render the putting down the Association a step which would facilitate the greater measure; for (without pretending to know any more on the subject of the alarms which had existed, than had been publicly stated) he would admit that the continued existence of that body might act as a friction wheel, and retard the progress of the question, for the successful progress of which he was anxious. He would, therefore, bestowing his full confidence on government, and thankful to them for what they proposed to do, not only not retard the measure before the House, but do all in his power, with heart and hand, to expedite it; because by so doing he felt he should accelerate the other.

Mr. *Bankes* said, he would ask the hon. member, who seemed to think that the putting down the Catholic Association in the first instance was not the wisest course, whether he did not think that Association dangerous to the public peace and inconsistent with the constitution; and if so, how he could for a moment contend that it ought not to be suppressed? He had heard from a noble lord an eulogium upon that body,—and he hoped it would prove its funeral oration; but if, as it now seemed to be admitted by all, the Association was illegal, he would ask his majesty's government, why it had been allowed to endure so long? He brought this as a direct charge against them. They had heard the letters read that evening, and no doubt they fully bore out the object intended, and proved

the mischievous and dangerous tendency of that body. But those letters covered only a period of four months. Had not the Association been in existence for years? This very evening was, to a day, the fourth anniversary of the discussion in the House respecting the illegality of the Association. It was at that time contended, from the opposite side of the House, that it was a body which ought not to be allowed to exist, and the suppression of which was necessary to the public peace of Ireland. The bill for suppressing it was brought in by lord Liverpool's government, in 1825, and on that occasion they had heard the speech of the right hon. gentleman (Mr. Goulburn), the then secretary for Ireland, in which was detailed the dangerous nature of that body, with as much horror of its illegality and dangerous tendency as the right hon. Secretary had done this evening. The bill was passed, but the Association was not put down. How were they to understand this? Were the government playing at fast and loose with them? Were they advocating the suppression of the Association in that House, and at the same time basely and scandalously conniving at and encouraging it out of doors? Was that the course they had pursued? Why not try to put it down if they had the power? and if they had not, why had they not come to parliament for such power as would be sufficient for that purpose? What were the members of government in Ireland, or their subordinate agents, doing? Was it possible that they did not see the danger, or that having the power, some of those agents, to forward their own political views, did not carry the law against the Association into effect. He brought it as a charge against them, that they had neglected their duty in this most important matter. After all that had been heard in the House on this subject—after the act had been passed, empowering government to put it down—what occurred? Its existence was renewed, and it went on daily increasing in daring and audacity, and no step was taken by the government to suppress it. He would ask, was not such conduct, on the part of the officers of government in Ireland an encouragement to the body which it was their duty to have put down? How could his right hon. friend opposite get out of this charge? The hon. gentleman, who, as a member of the Associa-

tion, had endeavoured to defend it, had only acted consistently in supporting a body to which he belonged, and he believed, that if that Association had not been allowed to exist so long, there would not have been found at the present day so many members of that House in favour of the measures now proposed; but he again asked, why it had been allowed to exist for so long a time? Why had not such a measure as the one now before the House been brought in long before. As to the measure itself, he entirely concurred in it, and he fully approved of the manner in which the suppression was to be effected; for, as a remedy, it would be more effectual, and would trench less on any constitutional privilege, than a more specific measure. It would effectually check the momentary danger. As to the time, he could not help expressing his regret, that what was now to be done had not been done long ago. He was sorry to have any reason to regret the acts of those to whom he had been accustomed to look up with respect for their consistency and devotion to constitutional principles, but he felt much concern in saying, that he could not speak in commendatory terms of the recent changes of sentiment which had been proclaimed. He felt that the character of public men was public property; and nothing tended to lower that character more than such sudden changes and conversions, especially when unaccompanied by any change of circumstances to account for them, or render them necessary.

The Marquis of *Tavistock* said, he felt great pleasure at the manly and liberal spirit evinced by the noble duke at the head of the government, and by the right hon. gentleman opposite. In avowing his gratification at the new aspect of things, he was sure he expressed a sentiment which was shared with him by a large majority of the educated, enlightened, and the intellectual, portion of the community. It was impossible for him not to feel a wish that the great measure of Catholic Emancipation had been unfettered by any thing which might not only appear useless and unnecessary in itself, but called for by existing circumstances, tending to take from the boon a portion of its grace and dignity. But, on the other hand, as practical and general improvement ought to be the end of all political measures, and the aim of all public service, it must always be considered that, in the attain-

ment of an object of importance, there must be some choice of evil and some sacrifice of individual advantage; especially where so great an end as the freedom of Ireland was at issue. He, for one, should never forgive himself, if, for the sake of obtaining all that he desired, he were to run counter to the measures of those, without whose co-operation the desired end could not be attained, and thus forfeit altogether the attainment of a great good, accompanied though it were with the risk of a small evil. He considered that the good which was now promised would be permanent, while the price to be paid for it was small and temporary. It was a source of most lively satisfaction to him, that the true state of the case had at length forced itself upon the understandings of his majesty's government; that they at length saw the wisdom, the policy, and the expediency, of consulting the public voice, and of acknowledging the principles by which alone the true interests of the country were to be secured and promoted. He rejoiced that their minds had been enlightened on this subject, while there was yet time to save the country from the consequences which a perseverance in the former policy threatened. He hoped and trusted, therefore, that this measure would be allowed to pass without any opposition on the part of those friends with whom he had been in the habit of acting. For his own part, he felt so anxious for the success of the great question of Catholic Emancipation, and so satisfied in finding it in the hands of the right hon. Secretary and the noble duke at the head of his majesty's government, that he was anxious to give his most cordial support to this great work of peace, order, and freedom, so long as it was in his power to do so consistently with his general principles. But ministers required no aid at his hands. Their greatest strength would be found in the wisdom of their policy, and their strongest and surest defence in the affection, gratitude, and confidence of the country. He begged pardon for having detained the House with the expression of opinions which, perhaps, were not interesting to those who heard him; but having, all his life, opposed the measures of those who were now at the head of the government, he could not suffer the opportunity to pass of testifying his satisfaction, when they at

length showed themselves disposed to concede this important measure of justice.

Mr. *Doherty* (Solicitor general for Ireland) said, that having been for some time connected with the Irish government, it would naturally be expected that he should say something in defence of the conduct of the law officers of the Crown in that country. If, however, he had wished to remain silent, the speech of the hon. member for Dorsetshire rendered it imperative upon him to say a few words, as well in his own defence as in that of his colleagues in office. Indeed, he felt it due to himself, to the hon. member, and to the House, to enter into some explanation of his conduct. The hon. member had asked, why it was, that the Catholic Association had not been put down years ago? Why the government did not make the attempt—or why it did not dismiss those subordinate officers of the Crown, who were unable, or unwilling, or who were so base—for so the hon. member had put it—as to encourage the Association and to neglect their duty of enforcing the law against it, in order to forward their own individual views. These were the questions which the hon. member had asked, and though the term with which one of them had been accompanied did not entitle it to the courtesy of an answer, yet he would give it, as due to the House and to the government. In the outset he took leave to say, that he had no difficulty whatever in justifying the consistency and propriety of his own conduct, with respect to the course adopted in Ireland. Whether he was right or wrong, his conduct continued the same now that it ever had been on this great question. Whether right or wrong, he had on all occasions, in or out of parliament, been opposed to the Association, and in favour of emancipation; and in any thing which he had ever said against the one, or in support of the other, he had not deserved the taunts which the hon. member for Dorset had so unsparingly, and he must add, so unfeelingly and wantonly cast against him. He held office before the present administration came into power, and in his place in that House he had stated, that it was impossible that things could remain as they then were in Ireland. He had said this so dispassionately, and so free from all bias of party, as to draw upon him the suspicion and distrust of both. He had then told the House that they must make up their

minds to go back to the ancient system of coercion, or to proceed in the proposed course of conciliation; and he had implored every hon. member who heard him to consider the whole question calmly, coolly, and dispassionately. He thanked God that that advice had been taken. He thanked God that government had re-examined the subject with the deep interest which its importance demanded, and with such happy results; and if, after the eloquent appeal which he had heard in support of the view they had taken of it, he regretted what the hon. member for Dorset had said of the disgrace attaching to the characters of public men; his regret arose from a feeling of pity for the constitution of that man's mind, who could think that a change of system after due deliberation was a disgraceful dereliction of public principle. The hon. member should bear in mind, that they met there as a deliberative assembly; but to little purpose did they sit there night after night listening to those who had the advantage of a nearer view of the effects of this subject in Ireland than was ever enjoyed by the hon. member, if they were determined never to move from the same point, the same altitude, and the same position with respect to it. To little purpose could they claim the character of a deliberative assembly, if they commenced their deliberations with a fixed opinion and determination, that it should remain unchanged. This was the language which he had formerly addressed to the House, and eight months additional experience prompted him to repeat the same arguments, with more confidence, and an increased consciousness of their force. The events of every day and every hour strengthened his conviction, that things in Ireland were progressively, and rapidly becoming worse and worse. If, then, he told the House in 1828, that things could not remain as they were, with more confidence did he reiterate the warning now. The right hon. gentleman, the Secretary of State for the Home Department, had been taunted and twitted, as if the impressions of his mind had been altered merely by what had occurred since the last meeting of the House; but he claimed for the right hon. gentleman the benefit of looking at what had happened both before and since; and, putting all together, he rejoiced that the right hon. gentleman had come to the conclusion, that things in Ire-

land could no longer remain as they were. Other hon. members might pride themselves upon their consistency, and anticipate the gratification of returning to their constituents nothing altered in their views and principles, but the hon. member for Dorsetshire must give him leave to say, that those to whom the security of the constitution, and the safety of the lives and properties of all the people of this realm were intrusted, were bound to look at the question in all its bearings. He rejoiced that those who now directed the councils of his majesty had become convinced of the force of circumstances, which in themselves rendered an alteration of measures essential. But suppose that, in addition to the facts which had been already over and over again stated, he assured the House that there was now superadded all the bitterness of that feeling which tended to poison justice at its very source, and to corrupt it in all its branches, and which endangered the public peace every day and every hour—that, since he had last addressed the House, religious feeling had been called in to imbitter the strife, and had spread its remorseless asperity to an extent which was scarcely credible—that it had been called into action, on one side and on the other, to a degree which alarmed all who were sincerely anxious for the good of the country. But there were other considerations which ought to press themselves upon the attention of the hon. member for Dorset in reference to this subject. When the hon. member attacked the government with not having put down the Association since 1825, he argued as if there had been only one government since then. Did the hon. member consider how many governments had been formed within that period? how many members of those governments deeply sympathised with the grievances of the Catholics, and were so convinced of the justice of their cause as to believe that measures of coercion would not succeed in suppressing their complaints and their assemblies—that conciliation would render all coercive measures unnecessary, and that without it they would be worse than useless? He had voted against the Association in 1825; but it should be recollected that since then we had had a new parliament, and it was by no means certain that the present parliament would repose the same confidence in, or intrust similar powers to, a ministry,

unless some hopes were held out, that the coercive measure was to be immediately followed by one of concession. He would admit that some members would adopt the former without embracing the latter course; but he would not now go into the question how far that feeling extended. He would come to what the hon. member had said of the subordinate law officers of the government in Ireland, of whom he had stated, that some of them had disgraced themselves by neglecting to enforce the law, in order to forward their own political views. Of his own conduct, he had before spoken. He would now say, that the officer of government, his right hon. and learned colleague, the Attorney-general of Ireland, on whom more particularly would have devolved the duty of enforcing the law against the Association, had that course been deemed advisable, was as cordial a supporter of the general politics embraced by the hon. member for Dorset as the hon. member's heart could wish. When he said this, he begged leave to guard himself against the chance of misconstruction, by adding that his right hon. and learned colleague was too manly and straight forward on all occasions to conceal his opinions upon public subjects, and at the same time too strict in the discharge of his public functions to allow himself to be influenced by any consideration whatever beyond his duty to the public. He had only referred to his known political opinions for the purpose of showing, that whatever neglect of duty the hon. member for Dorset might attribute to himself, his right hon. and learned colleague could not be considered as a co-conspirator with him. The hon. member should also remember, that for a considerable portion of the time to which he has referred, his right hon. friend, the present chancellor of the Exchequer was in office, and from his known opinions on the subject of the Catholic question, he was not a man likely to be influenced by such a partiality for the Association, as to neglect his public duties, and not prosecute it, if prosecution were necessary. He could state with the most perfect sincerity, that scarcely a day had elapsed since the time of his appointment to the office which he had the honour to fill, in which his attention had not been pointedly directed to this subject. It had placed him in an attitude of distrust and suspicion with men with whom he had long been connected by every bond of friendship

and affection. He had watched their debates with the strictest vigilance, he had observed them with the closest anxiety; but he was bound to tell the hon. member for Dorsetshire, that after all his vigilance, and all his anxiety, it was the unanimous opinion of all his colleagues on the other side of the Channel, that it would have been an useless task to have undertaken a prosecution against any individual for his conduct in the Catholic Association, and that an abortive attempt at prosecution would have been worse than useless, inasmuch as it would have created irritation, without putting down the Association. He would not, upon the present occasion, enter into a detail of all the circumstances which, in his opinion, rendered it impolitic to attack the Catholic Association—he would confine himself to saying, that it was a matter of extreme difficulty to draw up a bill of indictment against seven millions of people. He did believe that, baffled and hampered as the legal advisers of the Crown were, the wisest plan which they could pursue was, to confess the real truth—that it was a matter of extreme difficulty to frame such an indictment.—He trusted that he had now said sufficient to exculpate himself from the charge of having acquiesced in the continuance of the Catholic Association. In his opinion, there could be nothing so base as for any individual to attempt to forward his own political views by a partial administration of the laws. He had, however, two duties to perform, distinct in themselves and in the time and place in which they could be properly performed. If he wished the law to be changed, it was not for him to alter it in the administration of his office. In that House he might urge the propriety of making that change; but in his office in Ireland, he had nothing to do but administer it. If he had done otherwise, he was sure the Protestant community would have had ground to complain, and they would have complained, but they had not done so: and he looked upon that circumstance as a strong proof that he had neither neglected nor overstepped his duty. Having told the hon. member for Dorset how he was situated in his office in Ireland, he implored the hon. gentleman to bear with him, while he pointed out some of the difficulties which surrounded the course which the government had to pursue in that country, and he would beg of him then calmly and dispassionately to delibe-

rate upon the actual state of the question. The public sentiment in favour of the success of the Catholic claims had been spreading, not for one, two, or three years, but had been rapidly and progressively increasing, and the feeling of the people of this country had been ripening for its accomplishment. How was this feeling to be ascertained? He knew no other way of correctly judging of the sense of the country, than by the voices of the representatives of the people in that place. Without undervaluing the importance of popular accord, he utterly disclaimed any mode of collecting the sense of the people except from the votes of their representatives. If a minister had wished to carry a stronger measure against the Association, he believed he might say, from the state of the House, that it would have been an abortive attempt. The impression of the country was evinced by increasing majorities from time to time. Give him leave to suppose, that this question had been carried again, as it had repeatedly been carried before, by a majority in that House. Give him leave to suppose that that majority should go on, as he had no doubt that it would go on, increasing and to increase—give him leave to suppose also, that the wishes of such a majority should again be defeated, as it had before been defeated, by a majority of adverse votes in the other House of parliament—was there no difficulty, he would ask, in such a situation? But again—give him leave to suppose that the majorities of the two Houses of parliament should concur in favouring the repeal of the disabilities affecting their Catholic fellow-subjects, and that their views should meet with obstacles in another quarter, which it would be irregular for him to mention, except as a third branch of the legislature—was there no danger and difficulty, he would ask, in a situation, which must inevitably tend to produce discontent and dissatisfaction in the mind of the subject towards a quarter where no subject ought to feel discontent and dissatisfaction? He therefore contended, that the wisest course which ministers could pursue, was to take the management of such a question into their own hands, and to disembarass the officers of government, as far as human prudence would permit, from the difficulties in which its unsettled state was certain to involve them. All persons who had voted with the hon.

member for Dorsetshire had justified their votes by their apprehensions of prospective dangers. He justified his vote by the present dangers. The dangers which hon. members urged as a reason for not settling this question were doubtful, distant, uncertain and speculative; the dangers which led him to demand a settlement of it, were plain, and urgent, and undeniable. Was it not therefore the duty, the imperious duty, of a wise minister to accede to the declared decisions of parliament, especially when by so doing the empire obtained a prospect of seeing—its peace and prosperity secured and its power consolidated on the most impregnable foundations? Here, however, he would observe, that the realization of that prospect mainly depended upon the manner in which the present question was to be carried through parliament. Giving full credit to the former opponents of this measure for the most honourable and conscientious motives, and for a sincere desire to support the stability of the constitution and the welfare of the country, he would implore them to consider seriously how far they were likely to add to both by the conduct which they were then pursuing. We had been told of danger arising to the country: and certainly there might be great danger in appealing, as we saw some individuals now appealing, to the passions and prejudices of the vulgar. They were influential persons, and many of them deserved to be so, with the people of England; and if, when looking at public events, they should be inevitably led to the conclusion, that this question must now be carried let them lend their assistance to carry it in such a manner as will give it the appearance of an act of grace and favour, as will make it come with healing on its wings, and as will lull to rest the angry feelings and excited passions of a divided nation. As we had tried a variety of counsels in our old course of coercion without success, let them now join with us in trying a new course under the auspices of ministers, who had had the courage to take upon themselves all the odium and responsibility of advising it. Let them see whether such a course would not be productive of all the good effects, which its advisers attached to it. When he said “all the good effects,” he did not mean to have it understood that all those effects would be visible immediately. He would beg leave

to remind the House of what so humble an individual as himself had said in the last session of parliament, and what he would venture to repeat again—namely, that the carrying of this question would be doing every thing for Ireland: without it, we could do nothing for the amelioration of that country; with it we might do every thing. In saying that all its good effects would not be immediately visible it was only to guard against unnecessary expectations, and to prevent individuals who sowed in exaggerated hope from reaping in disappointment and despair.—With respect to the allusions which had been made to the quarter from which this proposition emanated, he would only remark, that for his own part he cared not from what quarter it came, so long as it had come. Still there was one observation which, in common justice, he felt himself bound to make. Nothing could be more honourable than the conduct of the gentlemen opposite, who, from the outset, had continued, through good report and through bad report, through obloquy and danger, to be the firm, steady, and uncompromising advocates of this important question. They had now cheerfully come forward to give their support to a government, which for the first time in our history, had determined to take it up as a government question, thereby giving it its only prospect of success. He also felt himself called upon to sympathize with his right hon. friend, the member for Liverpool, that the great and illustrious statesman, who had so often flung the brilliancy of his talents over this great cause, had not lived long enough to witness its triumph. He sincerely deplored the premature fate which had deprived him of an enjoyment which would have afforded him such exquisite gratification. He was not sorry, however, that the same individual, who had reaped the reward of Mr. Canning's exertions in sowing the seeds of the Spanish contest in South America, should also reap the harvest of his great eloquence on this more important and more benevolent question. It had been said with no less truth than beauty, that praises were not apt to vegetate on the tomb, but that if they did, they struck root downwards, and bore little fruit upwards. He did not expect that any praises which so insignificant an individual as himself might bestow on that illustrious statesman would bear fruit to his memory.

Watered as it had been by the tears of all the noble spirits in both hemispheres, it little needed his eulogy; still, he wished to offer his sincere and humble testimony to the perseverance with which his lamented friend had struggled, from the commencement to the close of his political career, for the emancipation of his Catholic fellow-subjects. Such testimony was, he knew, unavailing to the dead, and might, perhaps, be painful to the living; but he considered the success of this great question as crowning the fame of Mr. Canning, and transmitting it with fresh honours to the admiration of posterity. May the result of our labours this evening justify all the anticipations which he entertained of them; and may we date from it the commencement of a new state of things, pregnant with peace and prosperity to the British empire!

Mr. *Huskisson* said, that, after the able and eloquent speech of his hon. and learned friend, the Solicitor-general for Ireland, in every statement of which he agreed, and every feeling of which he admired, he could assure the House that he should trespass but shortly upon its indulgence. Indeed, it was not his intention, when he entered the House that evening, to offer himself at all to their notice; but the speech of the hon. member for Dorsetshire had compelled him to change his intention, and to break the silence he had determined to keep. His hon. and learned friend had given a more formal reply to the observations of the hon. member for Dorsetshire than, in his opinion, they deserved. His hon. and learned friend had successfully vindicated that part of the government with which he was more particularly connected, and which had been charged with the execution of the law, of the non-execution of which the honourable member for Dorsetshire so loudly complained. But, as he had been in the councils of his majesty during the alleged period of such misconduct on the part of the government, and as he had belonged to the cabinet which the hon. member had accused of conniving at the designs, and of nurturing the growth, of that dangerous Association, which had been in undisturbed existence, he said, for the last four years, he trusted that the House would allow him to say, that it was necessary for him also to vindicate his part of the government from the aspersions which had been cast so unjustly

upon it. That vindication was most easy; and, strange to say, was afforded to him by the speech of the hon. member himself. The hon. member seemed to think, that the measure now suggested by his right hon. friend, was a very proper measure to put down that Association. He also agreed with that opinion; but, if the measure had been proposed by itself, he should have been bound to censure it as a total suspension of the constitution in Ireland; and he should not have been prepared, whilst the wrongs of the Catholics were unredressed, to suspend the constitution permanently in that country. And that was the short, but as he thought, complete answer he would give the hon. gentleman with respect to the censure which the hon. member had passed upon the ministry, of which he had been a member. With reference to the period to which the hon. member for Dorsetshire had alluded, he was called upon to declare, that the act of parliament which was passed four years ago had undergone long and serious deliberation, on the part of ministers. He declared further, that it would have been impossible, in the way of definition, provision, and enactment, to have gone further than that act did, without interfering improperly with the rights and privileges of the subject generally: and that, from the period in which that act was passed, down to the period in which he ceased to have a share in his majesty's councils, the government had been most anxious to give full efficacy, as far as was consistent with the liberty of the subject, to such provisions of it, as were intended to guard against the mischief of the Catholic Association. When he first saw the mode in which that act was evaded in Ireland, his mind was made up to this conclusion—that there was no mode of terminating the danger arising from that Association, without vesting in the government a considerable portion of arbitrary power; indeed such a portion as it was now proposed to vest, for a time, in the government of Ireland. Now, he would ask the hon. member for Dorsetshire, whether he was prepared to place such power in the Irish government permanently? He was not at liberty to state to the House what passed in his majesty's councils during the period in which he had the honour of enjoying a seat at the council board, neither was it necessary that he should do so: he was at liberty, however, to state

this,—that having come to the conclusion which he had just declared to the House, he could not help coming to another conclusion also; and that was, that, consistently with his public duty, he could not grant to the government that arbitrary power which was necessary to put down the Catholic Association, without putting an end, at the same time, to the cruel system of exclusion which called that Association into existence. Whether in office, or out of office, he never would have agreed to such a measure of coercion as the present, particularly if it was to be a permanent measure, unless it had been accompanied at the same time by an assurance, that the evil which the Association sought to remedy was going to be abated. He trusted that he had now vindicated the government from the harsh imputations which had been thrown by the hon. member for Dorsetshire upon the responsible advisers of his majesty for the last four years; and that he had also stated enough to show that he meant strenuously and sincerely to support the measure which had that evening been proposed by his right hon. friend. He should support it, because it appeared to him necessary to put down an Association which, in the language of his Majesty's Speech, was “dangerous to the public peace, and inconsistent with the spirit of the constitution.” He supported it, because it was now more necessary than ever to put down that Association, inasmuch as there was a degree of fearful excitement existing between the two great religious parties in Ireland, which, if not repressed, might break out, at any moment, into actual collision and violence. He approved of it as a preliminary measure to the great work of emancipation, because he felt that, during the discussion of a question which came so directly home to the bosom of the community, that excitement might be still further increased, and attain a most alarming height, owing to the misrepresentations which might accidentally get abroad. He agreed with the noble lord, the member for Bedfordshire, that in practical politics government had often a choice only of two evils, and that consequently there must often be compromises to avoid collisions between extreme opinions. It was the duty of ministers to try the effect of such a compromise in the present case, provided they kept in view the object for which it was effected; and

therefore he was prepared to give his support to the compromise which the present government was making between two contending factions, and to the mode in which they were making it. He confessed he saw in this proceeding, embracing the two measures, an anxious desire on the part of government to produce a spirit of concord, and of mutual conciliation. Having mentioned the words conciliation and concord, he begged to say that he for one joined with the hon. member for Kent in deprecating any imputations of unworthy motives, or any thing like acrimonious or violent language, on the part of any of the members of that House, whatever opinions they might formerly have held or might now entertain. It was not necessary for a gentleman whose character was so highly esteemed by the House as that of his hon. friend to vindicate himself from the taunts of the hon. member for Preston. He deprecated the use of such language upon all occasions. He trusted that the House, in discussing this question, would proceed with the same temper, moderation, and forbearance, which it had displayed on all former occasions when it was under discussion. As his hon. friend had alluded to publications out of doors, which were carried on in a very different spirit from that which he had ventured to recommend to the House, he trusted that if his hon. friend should take up any of the publications of the day, and should find a letter in them addressed to the Protestant People of England, by a person of no small influence, who, from his connexion with the county of Kent, could not but be in intercourse with his hon. friend,—he trusted, he said, that if his hon. friend should find a letter from a noble personage, designating the majority of both Houses of parliament as “degenerate senators”* he trusted, he repeated, that such language

addressed to the Protestant People of England, and appealing to their worst passions and prejudices, would only serve to draw from his hon. friend the same good-humoured admonition, which he had heard him administer that evening with so much good effect to the hon. member for Preston.

Sir *F. Blake* said, he thought that the Roman Catholic Association possessed greater power than was generally imagined; as an instance of which he might mention, that some supposed that power to be so great as to fancy, that the duke of Wellington had been intimidated by it into a compliance with the concessions they demanded. He did not believe that himself, for he considered the duke was a man not to be intimidated into any thing. In his opinion the right hon. Secretary of State for the Home Department had been guilty of no inconsistency in his conduct. He had not renounced his opinion, but had only yielded to the pressure of the times. “*Nil conscire sibi, nulla pallescere culpa*,” might truly be said of the right hon. gentleman. He asked the impugners of the right hon. gentleman what they would be at? Would they exclude for ever and ever the Roman Catholics from all civil rights? Such a course was next to impossible in the present state of society. If the hon. member for Dorsetshire were prime minister in the room of the duke of Wellington [a laugh] he would not be able to carry any measure that could put down the Association, without at the same time giving a boon to Ireland; or if any such measure were carried what would be the result? Nothing short of a civil war.—How much wiser was it to endeavour to bind in the bonds of conciliation the people of the whole empire; and he trusted that that conciliation would be productive of the happiest results.

Lord *Palmerston* said, he hoped the House would permit him to state, which he would do very shortly, the views which guided him in voting upon this occasion.—He confessed that it would have been more agreeable to him, if the great measure of Catholic emancipation had not been coupled with this measure to put down the Catholic Association. He could have wished that that measure, which ought to be, and, he was sure, would be, a measure of grace and favour, had not been coupled with any measure of coercion. He thought that it would have been more manly, more gene-

* Mr. Huskisson here alluded to the following passage in the earl of Winchilsea's Address to the Protestants of Great Britain—“Though the great body of your degenerate Senators are prepared to sacrifice, at the shrine of treason and rebellion, that constitution for which our ancestors so nobly fought and died, yet I feel confident that our gracious sovereign, true to the sacred oath which he has taken upon the altars of our country to defend our Constitution and our Religion from that Church which is bent upon their destruction, will not turn a deaf ear to the prayers and supplications of his Royal Protestant subjects.”

rous, and more wise for Parliament not to have accompanied so glorious a measure with any proceeding calculated to produce an unpleasant feeling. He could have wished that the Association had been allowed to have died a natural death—a consequence that must inevitably have followed, if that cause on which its existence depended had been taken away. Its existence depended on a national grievance; and the moment that grievance was removed, it would wither on the stalk, and would not have required to be cut down by the hand of the legislature. His first objection to the present measure was, that it was unnecessary, considering the course which they were going hereafter to pursue; and his next objection was, that if they did not follow that course it was perfectly ineffectual, for there was no act of parliament, consistent with the spirit of the English constitution which could put down the Catholic Association, except an act of emancipation. Put down the Association! They might as well talk of putting down the winds of Heaven, or of chaining the ceaseless tides of the ocean. The Catholic Association had been spoken of as if it were a corporeal being capable of being grasped by the arm of the law. It was no such thing. The Catholic Association was the people of Ireland. Its spirit was caused by the grievance of the nation, and its seat was the bosom of seven millions of its population. It was therefore idle to talk of putting down the Association, except by removing the cause to which the Association owed its existence. But as he knew that the opinions of many persons were to be consulted on this question, he was willing if the granting of this bill was likely to make them converts to the cause of liberality, to make a temporary sacrifice of principle for so material an advantage. When they had it in their power to build a bridge of gold between the two countries, it was unwise to build only a bridge of iron: he would assist, however, in erecting that bridge, rather than go without a bridge at all. He could not help expressing the satisfaction which he felt, in common with the nation at large, at the determination which the government had at last taken to give peace to Ireland. The measure would open a career of happiness to Ireland, which for centuries she had been forbidden to taste, and to England a prospect of commercial prosperity and national strength, which had hitherto

been unknown to her annals. The labours of the present session would form in history a sort of time-mark, which would be found to separate the shadows of the morning twilight from the full blaze of the risen sun: they would be recurred to not as a monument of the crime or ambition of men, nor of the misfortunes or convulsions of society, but as a monument of the calm deliberations of a watchful legislature, would make the authors of them pass down to future generations as objects of gratitude and veneration. His right hon. friend, the Secretary of State for the Home Department, had been attacked, on account of the inconsistency which appeared between his past and his present conduct. As to the angry taunts which had been cast upon him by a party, not only stung by disappointment that this measure was granted, but also stung by disappointment that he would not lend himself to the furtherance of their purposes, he trusted that his right hon. friend would treat them with the disdain they merited. [Cries of "No no."] Gentlemen might say "no," but he said "yes." What he had said he had said upon deliberation. He said, that the party which taunted his right hon. friend were stung with disappointment, that he would not lend himself to the furtherance of their purposes. He thought that his right hon. friend had acted in a direct, manly, and honourable manner. When once he had come to a conviction, that the dangers of further resistance were greater than those contingent on the settlement of this question, he pursued a manly course in recommending to his sovereign the settlement, the favourable consideration, of this great question. His right hon. friend deserved great credit for having so done; and when at the close of his valuable life he should look back to the course he had pursued during its continuance, there was probably no one act in it that would give him so much heartfelt satisfaction as that for which he was now so violently attacked. It would be unbecoming in him to indulge in exultation over those who had formerly resisted the Catholic question, and who had now come forward in its support: but he hoped he might, without any invidious allusion, be permitted to say, that they who had long laboured in this great cause, who had uniformly supported it throughout its progress, and who had continued their steady advocacy in defiance of public obloquy and private aspersion—that the

men who had encountered all these difficulties would now be allowed to receive their reward, in the consummation of opinions, the soundness and justice of which were no longer capable of being resisted. Whatever privations such men must have suffered, they had now the high satisfaction of feeling, that their time had not been lost—that the best spirits, the noblest faculties which Providence had intrusted to them, had not been exercised in vain.—While he did this justice to the great men who had spent their lives in the advocacy of this cause, he must say, that he was unable to understand the nature of the reproaches which had been so unsparingly cast upon those public men who had changed their opinions upon this subject. It was strange that this should be deemed a reproach, in a popular constitution and in a popular assembly. In the name of common sense, he begged to ask, for what purpose did the House of Commons sit?—For what purpose had the great men to whom he had alluded poured forth the treasures of their well-stored minds, and unlocked the fountains of their eloquence within those walls, except to induce their auditors to change their opinions, and to encounter what had by some been called the crime of inconsistency. At least it could not be said, that government had been hasty or inconsiderate in arriving at its present decision; they had not adopted it before a grave and pressing necessity existed; and he would venture to say without danger of contradiction by any man who was at all acquainted with the state of Ireland, that the measure could no longer be delayed; that, for the last six months, that country had been on the verge of a civil war. Nothing had kept that unhappy country from the visitation of internal commotions, but the presence of a large regular army; and, perhaps, even that might not have been effectual, unless aided by the wise and temperate conduct of the noble person lately at the head of the Irish government. When the whole population was divided into two parties—when there was not a single neutral man in the nation—when all the links of society were broken asunder, and when a chance spark might have lighted the whole country in one blaze of conflagration, men might reasonably abandon their long-indulged opinions, convinced that the danger was greater and nearer than they had anticipated, and call upon parliament to

grant peace to the empire, by making this great national settlement.

Mr. Secretary *Peel* rose to reply. He said, that the almost unanimous acquiescence of the House in the propriety of the measure which it was his duty to propose to them on this night, would have relieved him from the necessity of saying one word in reply to the observations which had fallen from some hon. gentlemen opposite; and he should have remained altogether silent, had it not been for the strong, and indeed personal, appeal which had been made to him by the hon. member for Dorsetshire, whom he hoped he might still be allowed to call his hon. friend. The hon. member had pointedly asked him how this Catholic Association had acquired its present power and influence in Ireland? and had then proceeded, in taunts and reproaches, strong but unjust, to assail him for his conduct on the present occasion. “My answer,” continued Mr. *Peel*, “to the question, why we did not suppress the Catholic Association, is, that our forbearance arose, in a great measure, from the peculiar state of disunion and division which had prevailed in the government upon this question, and which, in fact, had so placed us, that it would have been impossible to have effectually suppressed such an association, while the cabinet maintained a neutrality upon the Catholic claims, and refrained from a determination to take the subject into consideration. As long as the government remained neutral, my firm conviction is, that no act intended for the suppression of the Association would have passed, and that the attempt would have only aggravated the evil. But of all the reproaches that have been cast upon me by my hon. friend, the most severe is that contained in the question—why had I so long delayed the intimation of my opinion, that the very worst state in which this question could be left, was that so long acted upon, of neutrality on the part of the government? I had not delayed it. On the contrary, I had communicated it to my noble friend at the head of the government, and I have acted upon it, the very first moment when the subject could be introduced to the consideration of the legislature [hear]. When, however, the hon. gentleman, in addition to his other taunts, casts reproaches upon all the members of his majesty’s councils, and

imputes to them a concurrence in some species of conspiracy to augment the power of the Catholic Association, that they might afterwards use such a circumstance as a pretence for settling this question; he indulges in an accusation so absurd and extravagant in itself, that I really cannot give it a serious reply. That the government should have wilfully precipitated Ireland to the verge of civil commotion, to make out a good case for the adjustment of the Catholic question, is, I repeat, too extravagant a call for any reply. But when it is said, that there was perfidy in permitting this Association to exist in defiance of the law, I must vindicate the marquis of Wellesley from any disinclination to suppress it, when he was intrusted with the statute of 1825, if he was convinced of the expediency of taking such a course. There was no man more ready than that noble lord to vindicate the authority of the law; but he shrank from the particular task, when the chance of failure would, he knew, have aggravated all the evils with which he had to contend in his government. If I were to state, why we did not enforce the act of 1825, I should necessarily have to go into the whole detail of public events in Ireland during the last four years: and, after all, my answer would resolve itself into this—that the continued division and disunion in the king's councils was the real cause why the act was not carried into vigorous execution. When the act to suppress the Association was passed in 1825, how did the House follow it up? Why, by proceeding forthwith to the consideration of the Roman Catholic claims; and in that very session, and before the Association Suppression act left the House, a bill was introduced, which subsequently passed this House, to admit Roman Catholics to the full privileges of the constitution. Did not that tend to paralyse the measure for the suppression of the Association [hear, hear!]? The latter bill, indeed, was lost in the Lords; but the excitement continued; and this House, as it were, issued a solemn declaration, that the act of 1825 was not an effectual remedy. When it consented to pass the law for the suppression of the Association, it recorded its opinion, by passing another measure for granting the claims, and thereby admitting that the act of 1825 was not an effectual remedy. These, I say, were the causes that prevented the

effectual operation of that law. With regard to the reproaches of my hon. friend, I am not disposed to treat them with calousness or indifference; but I am supported in my course by an intimate conviction, that government are right in the step which they have recommended to parliament, and that, had they not taken it, under the existing circumstances of the country, they would have done any thing rather than what would have been conducive to the support of those establishments, for which hon. gentlemen opposite profess to have so deep a concern.

"I wish not to say one word more of the personal attacks which have been made upon me; but really the attack of my hon. friend (Mr. Banks) was too pointed; it was more than I could well bare; and I must say, that it was certainly to be admired more for its boldness than for its justice. When, however, my hon. friend feels inclined to be so severe upon what he terms my inconsistency, and to find any defence of it impossible, I am disposed to ask him, whether he did not himself change his opinion in one session of parliament upon this very question, and whether he ought not now in his own just defence upon that occasion, to have found mine upon the present. I allude to the debate upon Mr. Canning's motion in the year 1812, which motion was couched in the following terms:—

'That this House will, early in the next session of parliament, take into its next serious consideration the state of the laws affecting his majesty's Roman Catholic subjects in Great Britain and Ireland, with a view to such a final and conciliatory adjustment, as may be conducive to the peace and strength of the united kingdom, to the stability of the Protestant establishment, and to the general satisfaction and concord of all classes of his majesty's subjects.'

"When I ask my hon. friend, what were the reasons which could have induced him to consent to such a proposition, I find in his own vindication at that time the whole substance of mine at the present moment, and upon his words I rely, without adding a syllable in further explanation of them."—Mr. Peel then proceeded to read from "*Hansard's Parliamentary Debates*" for the year 1812, the following expressions used by the hon. member for Dorsetshire in supporting the above resolution of Mr. Canning.

"Mr. *Bankes* hoped it would never be "a point of honour with any government "to persevere in measures after they were "convinced of their impropriety [hear, "hear]. Political expediency was not at "all times the same; what at one time "might be considered consistent with sound "policy would at another be completely im- "politic. Thus it was with respect to the "Roman Catholics. What changes had "not taken place in the question itself, "as well as in the minds of the House, "since it was last agitated! [renewed "laughter.] These were, however, cir- "cumstances which ought not to render "the question more difficult to be met, as "the House was not called upon to argue "upon principles which were applicable to "other times and to other views.*"

"I quote these remarkable expressions, not by way of reproach, but as the vindication of an honourable mind, in taking an altered course under altered circumstances, and reconciling itself to the reproach of apparent inconsistency, rather than compromise the essential interests of the country" [Cheers].

Mr. *Bankes* said, he hoped the House would indulge him for a few moments, after the allusion which had just been made by the right hon. gentleman. He was perfectly aware of the circumstances under which he became a party to the resolution moved by Mr. *Canning* at the end of the session of 1812, and was then exceedingly desirous it should be settled satisfactorily. But the moment he had ascertained, that it was nothing short of accession to both Houses of Parliament would satisfy the Catholics, he determined to resist claims which, if acceded to, would put an end to the Protestant establishment in Ireland.—He had never complained of the change of any public man's opinion upon conviction. On the contrary, he had often praised such a correction of previous impressions. But his right hon. friend's change had not been marked by his usual candour: for what had he told them? Nothing, but that his opinions had undergone a total change, upon information known to himself, but not yet communicated to the House. His case was not, therefore, before them, although he required the opinions of others to be intrusted to him by anticipation.—

* Mr. *Peel* read the above extract from Vol. XXIII, p. 690, 691, of the First Series of this Work.

He repeated, that in 1812 he was ready to concede political power to the Catholics, short, however, of their admission to both Houses of Parliament. Whoever took the trouble of reading that debate, would see that there was no discrepancy between his former and his present opinions.

Mr. *Peel*, in explanation, begged to say, that he did not make an attack upon his hon. friend. But when such unusual language had been applied to him in the debate, as base tergiversation, base connivance, had he not a right to quote the force of his hon. friend's just distinction in his own case, as a complete and satisfactory vindication of the course which he was now himself pursuing?

Leave was then given for bringing in the bill. It was immediately brought up by Mr. *Peel* and read a first time.

HOUSE OF LORDS.

Thursday, February 12.

ROMAN CATHOLIC CLAIMS—PETITIONS FOR AND AGAINST.] The duke of *Devonshire* presented six petitions from *Dungarvon*, *Waterford*, and *Youghall*, in Ireland, for Catholic emancipation, and a repeal of the subletting and vestry acts.—He said, he presented them with feelings very different from those which he experienced on former occasions; for he was happy to say that brighter prospects were dawning upon Ireland, which, he trusted, would end in the tranquillity and prosperity of that country. He was not aware of the exact nature of the measures which ministers were about to bring forward before parliament; but he knew enough of their scope for him to declare, that he was disposed to give them his warmest support.

The Earl of *Falmouth* said, he had a petition to present from *Cornwall*, against any further concession to the Roman Catholics. Before he presented it, he wished with all the courtesy and respect due to the noble duke at the head of the government, to ask him a simple question, which, he trusted, would not be considered unreasonable under the circumstances that induced him to put it. He was prevented by indisposition from attending in his place on the first day of the session, and therefore knew its proceedings only by report. He would not ask the question but for the circumstance of his not having had the benefit of personally hearing the noble

duke's explanation of his views and those of the government, with respect to the very important and all-engrossing subject of Catholic emancipation. He, therefore, he repeated, had only the usual reports of the proceedings of that House to rest upon. From them he understood that the noble duke had stated it to be his conviction, that the majority of the people of England were in favour of "settling the question," by which phrase it was understood, that the noble duke meant the measure of Catholic emancipation. Now, he wished to know from the noble duke whether he had used the phrases "settling the question," and granting the measure called "Catholic emancipation," synonymously; that is, whether he meant to say that the majority of the people of England were disposed to grant Catholic emancipation?

The Duke of *Wellington* said, he was extremely sorry the noble lord was not present on the occasion he alluded to, as he would thereby have avoided the irregular course of demanding an explanation of what was supposed to have fallen from him. He conceived the noble lord was pursuing a course in itself very irregular, and contrary to the order by which the proceedings of that House was regulated, in thus asking him the meaning of what he was reported to have uttered on a former evening. However, he did not recollect the exact words he had made use of: but he would then express it as his conviction, that a great portion of the people of England were anxious that the question should be brought to a favourable issue.

Lord *Holland* observed, that the constitutional mode the noble lord should adopt to arrive at an explanation of his question, was to ask the House of Commons whether the majority of the people of England was or was not favourable to Catholic emancipation.

The Earl of *Falmouth* replied, that he had been many years a member of that House—many more than the noble duke—and could assert, that it was by no means unusual to put questions like to that which, as a matter of favour, he had just asked the noble duke to answer. The noble duke said, that a very great portion of the people of the country were for settling the question. If that were the case, he had no doubt the noble duke was prepared for a dissolution of parliament, and to obtain the usual means of support

necessary to carry a measure in the face of the country. The noble lord proceeded to argue, that his experience of the public feeling towards the Catholic question induced an opinion totally different from that maintained by the noble duke. Indeed, he thought he must have received his information from a different source; for he would assert that not one man in a hundred in the two great counties of Devonshire and Cornwall, including a population of three quarters of a million, with which he was best acquainted, if they were polled to-morrow, would vote for Catholic emancipation—a measure which he could not help denouncing as the most disastrous that could happen to the institutions of the country. He begged pardon of the noble duke for having put the question—the first public one he had asked his grace since his accession to office. He thought the noble duke was rather severe with him, and did not make sufficient allowance for the anxiety which he felt on so important a measure.

The Duke of *Wellington* maintained that the answering the noble lord's question rested upon a matter of fact; namely, a standing order of their lordships' House. It was a violation of that order to refer at all to former debates, much less to make them a ground of interrogation. The noble lord, therefore, was not justified in asking such a question, and was still further unjustified in putting the words "Catholic Emancipation" into his mouth, when he did not use them. The term was most completely misapplied. It was a term of cant, and obviously used to bring him into public odium. When the measure of government respecting the Roman Catholics should come before the House, he believed it would be found to be satisfactory.

The Earl of *Longford*, on presenting a petition from Kilmore, against any further concession, said he wished to correct a mis-statement of what had fallen from him a few evenings ago. He was represented to have charged his noble relation with having concealed his design, and with having deceived him. What he had said also of the 40s. freeholders had been mis-stated. He would willingly consent to a total revision of the Irish 40s. freehold laws, if he saw any practicable remedy.

The Bishop of *Durham* presented petitions from the clergy of Durham and Northallerton, against any further con-

cession. One of the grounds of the latter petition was the "spirit of intolerant domination characteristic of the Church of Rome."

The Earl of *Carnarvon* said, he could not help remarking, that the words "spirit of intolerant domination characteristic of the Church of Rome," might be a mistake for the "Church of England;" for at no period of our history was there a more intolerant opposition to a measure involving the safety of the State, than that at present evinced by the majority of the members of the Church of England. If petitions like those presented that evening were to be the guides of their lordships' decision on the momentous subject of these petitions, right reverend prelates and noble lords might produce as much sheep-skin as they pleased, for the purpose of sanctioning any delusion: but he trusted the House would decide for itself, and not found their decision on artfully got up petitions. He was amazed how any noble lord could take upon him to assert, that the House was taken by surprise in the settlement of the Catholic question from the Throne, when the subject had engrossed the attention of parliament for the last twenty years, had occupied last session three nights' discussion, and was the subject of conversation in every society. In fact, the question met one at every turn, and required no preparation for its discussion. With respect to the petitions that had been so diligently got up in some places against the Catholics, it was well known they were signed in consequence of *ex parte* statements or actual misrepresentations. The state of the question was never fairly made known to the petitioners; they were never made acquainted with the real condition of Ireland, and of the causes of that condition; they were never told of the enormous weight of taxes that was laid on the people of this country to keep up a large military establishment in Ireland, for no other purpose than to oppress the Catholics; but they were made to believe, that Catholic emancipation was synonymous with the destruction of the establishments of the country in Church and State, and the ascendancy of the Catholic religion. The petitioners, the majority of whom were of the lower classes, were never told of the real merits of the measure, of its justice, its utility, its necessity to the tranquillity and well-being of a large part of the United Kingdom, but were merely asked,

whether they would like to see Roman Catholic priests seize hold of the establishments of the country. He firmly believed that the majority of the petitioners had no other view of the measure they were called upon to oppose; and if such decision were to be the guide of their lordships, no doubt too great importance could not be given to them. But he trusted noble lords would use their own eyes, and exercise their own judgments, regardless of clamour, either in or out of doors. As he was on his legs, perhaps he would be permitted to allude to a modification of the clamour. The name of a noble earl (Winchelsea) a member of that House, had been annexed to a very extraordinary document, in which concession to the Catholics had been denounced as a design to destroy the constitution, and he believed, to dethrone the king. He was sure that signature was a forgery; for it could not be readily supposed that one of their own body would designate them as "degenerate senators prepared to sacrifice, at the shrine of treason and rebellion, that constitution for which our ancestors so nobly fought and died." Such were the extraordinary expressions contained in the document to which he alluded. He knew not on what grounds any man could give utterance to such language. The time was, when the author of such a statement would have been called to the bar of that House and committed to prison. The House, however, had better consulted its dignity, by looking upon the Letter as the production of a distempered fancy, and wholly unworthy of serious notice. How could any one presume to say what would be done by their lordships, seeing that the measure was not yet introduced? He hoped that whenever it was before their lordships they would do their duty faithfully, and discuss the question dispassionately. A noble earl had talked of the people of England being against the measure; but was Ireland to be kept out of view? Had she no interests to be consulted? Ireland was treated as if she formed no part of his majesty's dominions. Were seven millions of people nothing? He believed that the great majority of the people who possessed the property of the country were in favour of a settlement of the question;—he meant in the only possible way a settlement of it could be accomplished; namely, by abolishing the laws which oppressed the Roman Catholics. There

had been, within the recollection of many who heard him one rebellion in Ireland, which had cost many millions of money and a hundred thousand lives. Good God! it made a man's blood run cold to think of the horrors then perpetrated—to think that torture for the purpose of extorting information—a thing scarcely heard of in modern times—should have been practised in Ireland, without measure, and almost without blame. And were the enemies of religious freedom again to be allowed to promote the repetition of such scenes, and renew the last twenty years of confusion and suffering in Ireland? The Irish Rebellion passed away, and, after the victory, the government found itself a little worse than it was before, and also found itself under the necessity of maintaining an enormous force, in order to keep Ireland in subjection. The Whigs had always been abused as disloyal, and branded with the epithet "factious," because they sought to give tranquillity to Ireland, and procure justice to a large portion of his majesty's subjects. At length, however, those who opposed themselves to liberal principles had been obliged to confess that coercion had failed, and that civil war was an experiment not again to be tried; and his majesty's government had found it necessary to recommend from the Throne, that which could not but be considered as a step towards the pacification of the country; for they had felt, as every man of the slightest reflection must feel, that, for any government to go on for the next twenty years as the government had gone on for the last twenty years, would be nothing short of actual madness.

The Earl of *Winchilsea* said, he did not rise to reply to the several observations of the noble earl, as a better opportunity would be afforded him when he presented an important petition to-morrow. He would then merely say, that if the letter, to which the noble earl alluded, was but the ravings of a distempered mind, it nevertheless expressed, as he steadfastly believed, the sentiments of a large body of the people of England. He begged leave also to say, that the sentiments in the letter were not meant to be applied to the party of which the noble earl was a member, for whose honourable conduct and firm consistency he had the highest respect. It must be a proud triumph to that party to see their principles adopted

by those who had earned an honourable reputation by their opposition to them. He wished he could bear testimony to such honourable consistency in those with whom he had hitherto acted, or that he could discover any justification for such opposite conduct. If even one single argument, why the sentiments of ministers who, up to the present period, had resisted the concession of political power to the Catholics, were so changed as to have induced them to recommend that concession in a Speech from the throne, had been advanced, he perhaps should have been somewhat enlightened, and probably might have supported them. But, until he had heard why the same sentiments should not be maintained in the same circumstances, he would persist in saying that ministers had sacrificed the constitution to an association that had set the laws at defiance. It was to that body, and not to the noble lords on the opposition side of the House, that his charge applied. The consistency of those noble lords, he repeated, he should ever admire, while he regarded the conduct of others with a very different feeling.

Lord *Lorton* said:—My lords, the petition I now hold in my hand is from the noblemen, clergymen, gentlemen, freeholders, and other Protestants of the county of Dublin, praying that no further concessions may be granted to the Roman Catholic; also, that your lordships would adopt the most effectual means for putting down the Popish parliament, and for disfranchising the forty-shilling freeholders. I shall beg leave to read some of the particular parts of this petition, and then to make a very few observations upon the three objects your petitioners are desirous to accomplish. The petitioners state, that they are deeply impressed with the value of the British constitution, which has placed the house of Brunswick on the throne of these realms; that they view with the greatest alarm the systematic attempts making to subvert the fundamental principles of it, particularly by a body in Dublin, calling itself the Roman Catholic Association, which claims to itself the right of being the representatives of his majesty's Irish subjects of that persuasion; that your petitioners humbly pray your lordships will repeal so much of the act of the 33rd of George 3rd, as relates to the granting the elective franchise to the forty-shilling free-

holders. My lords, I have now shortly recited the humble petition of as loyal a portion of subjects as his majesty can boast of, and which may be considered as expressive of the sentiments and anxious wishes of the great body of the Irish Protestants, who are in possession of nine-tenths of the landed property, and who are constantly thwarted in their efforts to improve the condition of the people. My lords, the next prayer contained in this petition is, that your lordships would adopt effectual measures for annihilating the most extraordinary "imperium in imperio" that ever was allowed to establish itself in any civilized country. As there can be but one opinion amongst your lordships respecting the character and objects of this most illegal association, and the mischievous consequences which have followed from allowing it to exist so long, it would be but waste of time were I to trespass on your lordships' patience further than to say, that it is upheld by the entire mass of the Roman Catholic clergy, including the institutions of the Jesuits, who have devoted themselves to the destruction of all Protestant establishments; and here, my lords, I would take the opportunity of strongly recommending to your lordships' perusal a small pamphlet, entitled "An Exposure of the Jesuits," from which I shall beg leave to read a few lines:—"The danger exists among ourselves, in that giddy negligence by which we have admitted public establishments of Jesuitism amongst us; in that rash contempt of all experience in which we suffer the sworn enemies of our Protestant constitution to fix an interest in the bosom of the British soil; and in the deeper crime of that ingratitude and almost insult to Providence by which we allow a nest of idolaters to vitiate our peasantry with their corruptions of Christianity, to bend English knees and hearts in unjustifiable and unhallowed homage before relics and images, to darken the understandings of the young by the concealment of false glosses of scripture, to cheer the declining frauds of Rome by the evidence that they can still prevail over any portion of the English mind, to keep up religious blindness and bitterness in the empire, and, as we fully believe, to repel the willing bounty of Providence from this great country by the permanent national guilt of suffering the basest portion of Popery to pollute the borders of the chosen realm of Protestant-

ism." My lords, these are matters certainly worthy of the most serious consideration, if the Protestant establishment of these realms is to be preserved; and which we can never hope for, should any thing like a Jesuit seminary be permitted to exist in this free and enlightened country.—My lords, the last prayer in the petition is, that the forty-shilling freeholders may be disfranchised. When your lordships take a retrospect of the results arising from various elections in Ireland, you must feel quite convinced, that this body of electors is completely at the disposal of the Roman Catholic clergy, who hold the laity of their church, from the very highest to the lowest, in the most abject state of slavery; thus proving them indeed to be, one and all, "hereditary bondsmen;" a most striking example of which was exhibited at the late memorable election for Clare, when Mr. Daniel O'Connell prostrated himself in the dirty streets of Ennis, at the feet of a Roman Catholic bishop, according to the report of the day, and which has never been contradicted, though this degrading act, very nearly allied to idolatry, was made as public as possible, by the distribution of a most ridiculous and amusing caricature. My lords, this is the description of persons who demand a right a share in the representation of the people belonging to this great and powerful empire, but, my lords, should so miserable an infatuation as the granting of such concessions to the Roman Catholics ever be submitted to, the noble duke at the head of the government will find that the measure he is about to propose will not have the effect of satisfying the country. My lords, a very few words more as to these unfortunate forty-shilling freeholders, and I shall then consign them to your lordships' kind consideration; at the same time observing, that it appears to me an imperative duty upon parliament to legislate in such a manner as to relieve them from the deplorable condition they are thrown into, by being made a bone of contention between their landlords and their priests. My lords, the latter denounce upon them all the terrors of their religion and everlasting damnation, if they do not vote as they point out to them, and the former very naturally look to these poor fellows for some return of gratitude for benefits conferred upon them. Thus, my lords, they are placed in a sad dilemma, and, as

a Catholic tenant of mine told me some years ago, upon my advising him not to withdraw his children from a school, by order of his priest, because the scriptures were read in it, "Oh, my lord," said this poor man, "we are between two fires," meaning his priest and myself; but I observed to him, that there was a fire which neither his priest nor any other man could save him from, and he had better consider that. However, my lords, such is the state of ignorance and superstition which prevails, that these poor fellows believe their clergy to be endowed with the power of deciding as to their fate in a future world.

Viscount *Clifden* presented a petition from certain Roman Catholic inhabitants of Dublin, praying relief from their present disabilities, and that part of the money, granted for education in Ireland, might be given to the Catholic schools. His lordship took that opportunity of remarking that the charge which had been made of effecting proselytism in those schools in which children were brought up at the public expense, was, he feared, but too true. Because it was to the Protestant faith, noble lords might not see the evil of it; but, reverse the case, and imagine, said he, they were your lordships' children, how would you like it? The sermon of our Saviour on the Mount taught us to do unto others as we would they should do unto us. Indeed, to the fear of proselytism in certain schools, might be traced the cause of the Roman Catholic children being taken away. As soon as that fear had been removed, the children had been reconducted by their parents to the schools alluded to. This interference with education was highly objectionable.

The Earl of *Longford* said, that in the part of Ireland with which he was most conversant, not only was proselytism not attempted, but the superiors had openly, again and again, stated to the public, that no such system should be allowed.

IRISH REPRESENTATIVE PEER.] Lord *Farnham*, pursuant to notice, moved that the petition of lord viscount Castlemaine, relative to the alleged improper return of lord Dunally, as a Representative Peer of Ireland, should be referred to a committee of privileges. It was the first case, he observed, of the kind since the Union. He could not but feel great objection to the course which had been adopted by the Irish government relative to the election,

because it was such as almost to render certain the election of any peer so avowedly patronized by the circulars of a high and confidential officer of the Irish government. If an instance of a similar interference occurred again, he pledged himself he would bring the subject before the House, as an infringement on their privileges.

The *Lord Chancellor* esteemed the course the noble lord had selected, as the one most consistent with the usages of that House.

The petition was accordingly referred to a committee of privileges.

HOUSE OF COMMONS.

Thursday, February 12th.

MINUTES.] Mr. *STUART WORTLEY* gave notice, that he would, on the 17th instant, move for leave to bring in a bill to amend the present state of the Game Laws. Mr. *WARBURTON* presented a petition from the Physicians, Surgeons, and Students of Medicine, of the Westminster Medical Society, for the removal of impediments to the cultivation of the Science of Anatomy; and gave notice, that it was his intention to move, on the 5th of March, for leave to bring in a bill to legalize and regulate the supply of subjects for anatomy.

ROMAN CATHOLIC CLAIMS—PETITIONS FOR AND AGAINST.] Mr. *Cartwright* presented a petition from the town of Northampton, against the Catholic Claims. The hon. member remarked, that on a former evening his hon. friend, the member for Suffolk, had expressed his determination to oppose, in every stage, the measure about to be introduced by ministers. Now, believing that his majesty's ministers would not have brought forward the proposition, had they not been firmly persuaded that it was called for by imperious necessity. It was not his intention to pledge himself as to the course he would pursue when the question was fairly before the House; but, provided satisfactory securities were obtained for the preservation of the Protestant church, he should not oppose the recommendation which had come from the Throne.

Mr. *W. Y. Peel* said, he wished to offer a few words, in reference to the measure to which the hon. member had alluded. He must confess, that he could not look with those unmingled feelings of delight and satisfaction with which some gentlemen did on the measure about to be proposed for the admission of Catholics to political power. He considered such a measure a dangerous invasion of the Pro-

testament constitution of these realms; but when he saw all the members of his majesty's government, whose official situation enabled them to possess the best information as to the internal and external affairs of the country,—when, more particularly, he perceived that the members of that government, who hitherto opposed Catholic Emancipation, had not only withdrawn their opposition, but had become the advocates of the measure, he could not come to any other conclusion, but that, in a choice of evils, his majesty's government had chosen that which was pregnant with least danger to the state. Those two evils were—concession to the Catholics on the one hand, and a civil war in Ireland on the other. If the latter consequence should follow, there was no man who could look without horror on the scenes of bloodshed which must ensue; and, in his opinion, that minister would deserve impeachment, who could contemplate undismayed, even the chance of a hostile collision between the two contending parties into which Ireland was at present divided. It was, furthermore, obviously impossible that a cabinet could, under existing circumstances, be formed exclusively either of individuals opposed to, or in favour of, the Catholic claims. In this state of things three measures might be proposed to the House,—in the first place, unqualified emancipation, unaccompanied by securities; secondly, the adoption of a system of coercion, unaccompanied by concession; or, thirdly, concession, accompanied by securities, for the safety of the Protestant constitution. That is, they would be obliged either to give, or to take, or to give and take. He conceived that the third course was the one which should be adopted—he meant concession, accompanied by securities. Of this he was satisfied, that the Protestant institutions of the country would be better preserved, and the Protestant ascendancy more firmly secured by that, than by any other course. He would only add, that if the measure which was about to be introduced by ministers should be followed by all the good effects which they were told would follow after concession to the Catholics, he regretted that it had not been introduced sooner.

Colonel *Rochfort* said, he was determined to oppose to the utmost of his power the measure which ministers were about to introduce. That measure was

not like a turnpike-bill which cut through their lands, but it would cut into their very fire-sides. It was true that his (Colonel *Rochfort's*) party had lost their leader, and might be compared to an orange without the peel [a laugh]; but that should only induce those who were still true to the cause to be more resolute.

Mr. *Sugden* said, he would be the last man in that House to support the measure which had been introduced on the evening before last, and which went to the very root of the constitution, unless he had come to the determination of supporting the other measure which ministers intended to bring forward; but he trusted that, whatever might be the opinions entertained as to the legality or illegality of the Association on all sides of the House, government would receive assistance and support in putting down that body. It had been said by some hon. members, that the Association sprang out of the grievances under which the Catholics laboured,—that on the removal of those grievances, it would cease to exist, and that it should be allowed to die a natural death. It appeared, however, to him, that if the government adopted such a course, they would be deceived in their anticipations. The Association had already proved itself too strong for the law; and though the measure now introduced for its suppression was of an unconstitutional nature, it was, in his opinion, the duty of the House to support ministers in their efforts to put that body down. It was upon these grounds, and these alone, that he supported the present measure for the suppression of the Association. He would take the liberty of suggesting to his majesty's ministers, that after the measure of concession was carried, in order to prevent the revival of those Associations in Ireland, an express enactment should, in the first instance, be passed, rendering illegal the collection of any money in the shape of Catholic rent. The power of taxation ought alone to belong to the government: when usurped by other bodies in the state, the monies collected might be employed against the government, and in their own defence the government would then be obliged to have recourse to strong measures, similar to that at present before the House. The next measure which he begged to suggest to his majesty's ministers was, that no simultaneous meetings should be allowed, similar to those which had taken place in

Ireland. No one would for a moment contend, that meetings of that description could be assembled for any legitimate object. The third measure which he would suggest consisted in the putting down of those meetings which had been held in chapels. Such meetings not only desecrated the holy places in which they had been held, but were most unworthily convened there. He spoke in reference to the connexion of the Catholic clergy with these proceedings, not with any desire to give offence, as he trusted that the great measure which would shortly be introduced into that House would calm the passions, and allay the irritation which at present prevailed in Ireland; but it appeared to him that such meetings, in such places, added religious and fanatical fury to the other sentiments which pervaded the minds of those present, and that there could be no safety in any country in which such proceedings were allowed to take place. He was ready to afford his humble endeavours to carry into effect those great measures which appeared to him necessary to ensure the safety and tranquillity of Ireland. He would apply them equally to meetings of Catholics and meetings of Protestants,—to Catholic Associations and Brunswick clubs. When the Brunswick clubs were instituted in Ireland, their formation was necessary, as a counterpoise to the efforts of the Catholic Association, and as a protection for the Protestant church of Ireland; and had he lived in Ireland, he would have joined one of them; but he was always of opinion, that there was no occasion for such clubs in England, and that they would only serve to irritate and inflame the public mind in this country. He had always been opposed to Catholic Emancipation: he was still opposed to such a measure, standing by itself; and he certainly was surprised to hear it recommended in his Majesty's Speech to that House. But, seeing that it was now to be accompanied by other measures for the amelioration of the condition of the people of Ireland, and taking it as the lesser of two evils between which it was necessary to exercise a choice, he had determined to vote for the measure, as the only course which would ensure the safety of the state.

The Earl of *Bective* said, he had heard it asserted yesterday, that scarcely two petitions had been presented in favour of the Catholic claims. He, however, was

happy to say, that it had become his duty to present about forty petitions, thirteen of them from one county, in behalf of that body. He hoped that the period had now arrived when it would be no longer necessary to present petitions such as these from a long-suffering people to the legislature. As an individual, who, for many years had felt deeply interested in the concession of the Catholic claims, he could not sufficiently express his gratitude to the government, for the contemplated measure of undoubted justice. A great deal had been said about putting down the Catholic Association, but nothing had been hinted as to the necessity of suppressing other associations. Now he considered, that if the Catholic Association were dangerous, the Brunswick clubs were equally so. It was a notorious fact, that, in Dublin, an Orange flag had been seen waving over the door of the Brunswick club-house. Such proceedings were calculated to create discord and ill-feeling.

Mr. *Moore* said, the noble lord had expressed a hope, that the measure which affected the Catholic Association would be extended also to the suppression of other clubs. In the expression of that hope he also agreed. He hoped that the measure would not only go to the suppression of the Catholic Association, but to the suppression of every Association which had grown out of the establishment of that body. He trusted that it would have the effect of putting down all orders of liberators, and other combinations of that class. If other clubs had been established in Ireland, they had arisen out of the proceedings of the Catholic Association, which endeavoured to intimidate the loyal subjects of the realm, and to disseminate discontent in all quarters of the country. With respect to the display of an Orange flag at the door of a Brunswick club-house, he believed the noble lord, on further inquiry, would find that he had been deceived. It was quite notorious, that at the meetings of the Brunswick club in Dublin, no such thing was tolerated. So far from the Brunswick clubs of Ireland harbouring that sort of feeling which would lead to the display of such ensigns, the resolutions which they had passed negatived every idea of the kind. The formation of the Brunswick clubs in Ireland became a measure of imperious necessity, in consequence of the situation in which the Protestants were placed. For the object

which the Brunswick clubs had in view, the principles by which they were governed, and the spirit by which they were actuated, he could point with confidence to their proceedings. The report of the Brunswick club of Ireland, agreed to at a general meeting on the 4th of June last, in Dublin, was generally known. In that document, the club had declared the feeling by which it was animated, and the principles by which it was governed. It was known that the greatest efforts were made by the Catholics of Ireland to stifle the expression of Protestant feeling; and the main object of the Brunswick institution was, to remove the impediments which were thrown in the way of the Protestants, to enable them to raise their voice, and to give them an opportunity of laying before the Throne, and before parliament, the emanations of that voice. Their object was truly constitutional, and the means by which they sought to effect it were equally so. They were not congregated for any seditious purposes, but for mutual safety. They did not assemble for purposes of aggression, but purely in self-defence. The hon. member had denominated them "the Confederation;" but he would say, that their only bond was unity of feeling and spirit, in support of the Protestant religion, and of the Protestant constitution, which they saw in danger, and which they conceived could not be preserved by any other means.

Mr. *Spring Rice* said, he rose, not for the purpose of going into the subject of Catholic Emancipation, but of deprecating a line of discussion which had recently been adopted. He had not hitherto said one word on any of the petitions, and the House would easily imagine, that he had not abstained because he did not feel an interest in the great question to which they related; but he wished to reduce his mind to that state of calmness which would enable him to contemplate the subject with coolness and deliberation. He wished to view it without any feeling of recrimination—without finding fault—without referring to past proceedings. He would not, therefore, make any observations on the Brunswick clubs, farther than to say, that he trusted the hon. member would not infer, from his silence, that he regarded the statement which the hon. gentleman had made as being perfectly accurate. For his part, he did not want the cause he espoused to be supported by clubs or asso-

ciations. It might be very justifiable, to form such bodies; but still it did not vary the nature of the question which they would hereafter have to discuss. He, however, would take upon himself to say, that the statement which had been this evening made as to the state of the Protestant feeling in Ireland by an hon. gentleman opposite, was utterly unsupported by facts. If English members were induced to vote on this question, under the idea that, forty-nine-fiftieths of the Protestants of Ireland were arrayed against it, they would act under a strong delusion. On this point he would appeal, with confidence, to the right hon. Secretary for the Home Department, who knew that such was not the fact. The noble Secretary for Ireland (lord L. Gower) also knew that the statement was not accurate; and the declaration of the great body of the Protestant nobility and gentry of Ireland, completely refuted the assertion.

Colonel *Rochfort* declared his conviction, that there were a hundred Protestants to one in Ireland against concession to the Catholics.

Mr. *Trant* said, he would assert that the establishment of the Brunswick clubs, had been absolutely necessary in Ireland. When the Protestants were, as they had been, shamefully deserted by the government, and when they had listened to such language as that used by the leading orator of the Catholic Association, that "the boys of Tipperary, armed with cabbage-stalks, could drive the Protestants into the sea," it was time for them to look to themselves. Several Protestant gentlemen, not averse to the Catholic claims, had found themselves compelled to join the Brunswick clubs, for the protection of their property. He could not listen quietly to attacks upon an institution, which had acted constitutionally, justifiably, and solely in self-defence.

Mr. *H. Maxwell* said, his hon. friend, the member for Dublin, had spoken in defence of the Brunswick clubs because they had been attacked by the noble member for Meath; and, if his hon. friend had not adopted that course, he should have felt himself bound to have stated his sentiments on the subject. In all that the hon. member had said he fully concurred; but he would extend such observations to the Orange societies as well as the Brunswick clubs. He was far from being ashamed to declare that he was a member of both. They were

equally formed for the preservation of the British constitution — that constitution which, it would seem, his majesty's government were determined to dissolve. With that conviction, he would take every opportunity, as far as he could constitutionally, to oppose a government, whose measures, he conceived, were calculated to bring ruin on the country.

Admiral *Evans* presented a petition from a parish in the county of Wexford, against concessions to the Roman Catholics. It appeared very strange to him to be called on to make an apology for being a Brunswicker, while a Prince of that family was on the Throne. He confessed himself to have become a Brunswicker on purely defensive principles. He entered into that society, because he saw Roman Catholic combinations around him; and the consequence of those combinations was, that every Protestant in his neighbourhood joined the Brunswick institution, on the great principle of self-preservation. He had seen a declaration disseminated for some time past, which ascribed all the animosity and all the unhappy differences that prevailed in Ireland, to Catholic disabilities. But if they traced the effect of those disabilities here, they would find that the skill, the wealth, the security, the prosperity of this country had grown out of them. That which was manna and food from heaven in England, became poison, it would appear, on the other side of the Channel. For his own part, he could not see how laws that were so wholesome on one side of the water, should be so very pernicious on the other, as to induce men, in order to get rid of them, to compromise their Protestant constitution. There was one way of considering the question, in which it presented a very extraordinary aspect. The whole population of the united kingdoms had been computed at twenty-one millions—of these sixteen millions were Protestants, yet they found that the remaining five millions, their interests, and opinions, were to be the leading objects of consideration. He was entirely at a loss to account for the reason why, when there was such an inferiority of numbers and of property in the latter, there should be such a singular position of circumstances:—When he looked at the wealth, education, and intelligence on the one side, and the absence of them on the other, he was utterly at a loss to account for the situation in which the House was placed.

It was quite clear that those who in every respect constituted the minority had induced a minister of the Crown to say in that House, that his sentiments on the question of Catholic emancipation were unchanged, but that from the force of circumstances, he felt himself obliged to give way. Now he was a resident in Ireland; and, though he gave the right hon. gentleman full credit for the purest motives, yet he drew a very different inference from that which the right hon. gentleman had drawn, with respect to what was necessary for the preservation of the Protestant interest in Ireland. He would say, that the life of every Protestant in Ireland was in danger. He himself had been threatened — threatened from the altar by the priest; and he agreed, therefore, with the right hon. gentleman, that something must be done, but he denied that the measure in contemplation was the proper one. He could say, that the best way to secure himself and others was to give them additional arms [hear]. He thought so. And now a few words with respect to the Catholic Association. It was agreed on all hands, that the Catholic Association was a nuisance, and yet one hon. member, who had supported the Speech from the throne, had lauded that Association, and boasted that he himself was a member of it. Now, he would ask that hon. member, who had agreed that the Association was a nuisance, who had admitted that it was an incubus, and that it ought to be cut off, how he could reconcile it to himself to acknowledge that he was a member of it? He could only say that, in his opinion, the constitution was certainly departed from by the measures which the government declared it would be their intention of adopting. He did not wish to depart from the constitution, and though he disliked *ex post facto* laws, and though what he was about to say might seem a little unconstitutional, yet he would say, that if the measure for the suppression of the Catholic Association were not retrospective, it would not go far enough. There were large funds now at the disposal of that body, and if the measure were not retrospective, and those funds were not appropriated by the government, much mischief might still be done.

Lord *John Russell* said, he begged leave to call the attention of the House to the petition which he held in his hand. The petition prayed for the removal of the civil

disabilities under which the Roman Catholics laboured. The petitioners were the ministers of the Protestant Dissenters, known under the denominations of Presbyterians, Independents, and Baptists. These denominations of Protestant Dissenters had been settled in the metropolis ever since the Revolution; and they had been repeatedly allowed to address His Majesty on the throne. The Petitioners had last year petitioned against those parts of the Test and Corporation acts which related to the Sacramental Test, and from which they wished to be relieved. They obtained the relief they prayed for. The first act of the petitioners this year was, to return thanks to Parliament, for the favour they had obtained; but, in the next place, they conceived it to be an act of duty, to ask that for others which had been extended to themselves. They looked round, and seeing that there were still upon the Statute-book disabilities of the same nature with those from which they had been relieved, they resolved to petition for the removal of all disabilities on account of religious opinions. It would be only fair in him to state, that this resolution was not carried unanimously. There were eighty-three Protestant Dissenting ministers present, of whom about fifteen voted against the resolution. The petitioners were not, indeed, rich in revenues from the profession of their religion, but they were accustomed to the deep and earnest study of that religion, and they objected to the Church of England, because it approximated too nearly to the Church of Rome. No men, therefore, could be farther than the petitioners were from inclining towards the Roman Catholic faith; but, considering that every man had a right to the free exercise of his conscience in matters of religion, they thought it incumbent upon them to express their conscientious opinion, that religious tenets should be no bar to civil employment. A statement had been somewhere made, that these petitioners had last year declared, that they had no connection with the Roman Catholics, and that, therefore, it was a breach of faith in them to come forward now with petitions in their favour. This assertion was destitute of foundation. A proposition was made last year, that the Protestant Dissenters should join with the Catholics. He, among others, was consulted upon this proposition, and he was decidedly of opinion that they ought not to petition in

conjunction. His reasons for this opinion were, that as there was a difference in the degree of their disabilities, and as their cases stood, in many respects, upon different grounds, it would be disrespectful to the House to club the two together. Reasons might be urged against the one which would not apply to the other; and he, therefore, thought that the interests of both would be rather retarded than forwarded by such a conjunction. But when the petitioners had asked and obtained the remission of those penalties under which they laboured, they thought it would be ungrateful as well as inconsistent in them, if they became partners in a monopoly of which they had before complained, and did not express the opinion contained in the petition.

Mr. *H. Grattan* presented a petition from St. Mary's, Dublin, in favour of the Catholic claims. He hoped that all observations respecting the Catholic Association and Brunswick Clubs would soon cease; that all would consider themselves as fellow-countrymen, and, laying aside hostile feelings, live together in concord and friendship.

The *Chancellor of the Exchequer* said, he held in his hand a petition which, whether in reference to the character or to the number of the persons whose signatures were attached to it, was deserving of serious attention. The petition was from the archbishop and clergy of the diocese of Dublin. In this body were comprised men distinguished for their learning, eminent for their talents, venerable for their piety, and renowned for their zealous performance of all the duties which attached to their sacred functions. He had long been personally acquainted with many of them, and could assure the House that, in addition to the high qualifications he had mentioned, they added another, which he was sure would be properly estimated there—that of coming to that House without any thing like hostile feelings to the persons against whose claims they petitioned. They were actuated solely by an earnest desire to protect those interests which had been committed to their charge, and which they believed would be endangered by further concessions to the Roman Catholics. Long as this question had been agitated in parliament, this was only the third occasion in which the petitioners had come forward; and on neither of those occasions had they used any terms of hostility against those to

whom they were in the habit of tendering at once spiritual and temporal consolation. The petitioners stated, that though they had long forborne to present petitions to that House, yet that lately the attacks against the Protestant establishment in Ireland had been more direct; that those attacks had been publicly professed; that the establishment itself had been declared a curse to the country; and that they believed they should fail in their duty if they did not now come forward and pray of that House to protect, against the machinations of the Catholics, an establishment which, under divine Providence, had hitherto flourished so prosperously. He was sure that the Parliament would think that the petitioners were bound to ask for the protection of their privileges, and that the Parliament would also think that it was bound to grant that protection. On former occasions he had agreed in the view taken by the petitioners; namely, that the best and most effectual means to ensure this protection was by opposing the claims of the Roman Catholics; and if on the present occasion, he saw reasons for entertaining a different opinion, it was not because he had lost sight of the dangers upon which he had formerly insisted, but because he was prepared, with his right hon. friend, to encounter the lesser danger. Their situation presented them with a choice between two evils, and after a careful consideration, he had become convinced, that a disunited administration, a divided parliament, and an excited people, were likely to prove much more prejudicial to the interests of the Protestant Church, than the measure which he should have the honour to support that session. He would not now enter into the reasons of this his conviction; but he should take an opportunity, on a future occasion, of stating the grounds upon which he had been induced to change his opinions on this important question.

Lord *Milton* said, he was quite sure that it did not require the statement which the right hon. gentleman had made, in order to ensure the attention of the House to this petition. He could not help seeing, that a petition from such a grave and reverend body of persons was entitled to the greatest respect and attention; and the more so, because, during the long period this question had been under public consideration, this was only the third time they had petitioned the House. If this petition ema-

nated from a deep and intense anxiety that government should do nothing in their measures that would tend to the subversion of the Protestant Church, the petitioners were not only right in what they had done, but their feelings were creditable and honourable to them. With the opinions which he was known to entertain on this question, and with those opinions which he was not so well known to entertain, give him leave to say, that there was no question on which he felt greater anxiety than on the safety of the Protestant Church establishment. Deeply should he regret, if, by any step to which he had in the remotest degree contributed, the Protestant religion should be in the least impaired. He seldom talked of religious feelings; he thought they were better expressed in private: but there were occasions on which men might and must speak out: and he believed, that if there was one man more rootedly attached than another to the Protestant religion, it was the individual who was now addressing them. From this he could not help passing back, and alluding to the petition which had just been presented by his noble friend. He meant the petition from the Protestant Dissenting Ministers. It was with the greatest delight that he had heard that petition read. It was impossible, as his noble friend had well observed, that any men could be more anxious than those petitioners, to guard against any encroachments on the part of the Roman Catholics. If they who professed the Anglican Church were cautious and zealous on this subject, much more so must those petitioners be. It appeared to him, that the petition which was about to be presented had not taken so wise and clear a view, as that which had been presented by his noble friend. But, to do the petitioners justice, they were in the midst of that religion, and this might be a reason for the mistake into which they had fallen. The circumstance, however, of their being in the midst of that religion, under the existing state of the laws, rather incapacitated than qualified them for judging of a political measure on the subject. His anxiety on this question arose from the fact, that the Protestant religion was deeply interested in it; and he thought it an insult to that religion, and to the foundations on which it stood, to say, that by granting political power to the Catholics it could be subverted. He could not say, give political power to the Catholics, for they had

had it already. Who would say that the Catholic Association had not political power? Who could forget that it sometimes happened, that injuries conferred greater political power on men than concessions could ever bestow? Let forty or fifty Catholics, though he did not believe the number would ever be so great, find their way within the walls of that House, and let a dozen or a score of Catholics find their way to the other House—what would be the consequence? Danger? No—it would be drawing the very teeth of their grievances. He did not think that the Protestant religion was made to stand fair before the country, when it was said that it could not exist without exclusion. The Protestant religion stood on the Scriptures and on reason, and it could not be disturbed by the machinations of men. He wished to speak respectfully of the Catholic religion, professed, as he was sure it was, most sincerely, by men of great piety; but he must say, that in the mass, he did not think it was a religion calculated to flourish in a free and enlightened country. He believed that the bad parts of the Catholic religion arose out of the civil institutions of the countries in which it was professed. The Catholic religion in Ireland differed from the Catholic religion in France; the Catholic religion in France differed from the Catholic religion in Italy; and the Catholic religion in Italy differed from the Catholic religion in Spain. However, of this he was perfectly convinced; namely, that the Protestant religion stood upon a foundation so firm, that no political power with which the Catholics might be invested could ever prevail against it.

Lord *Clements* presented two petitions from Leitrim, in favour of the Catholic claims; and two petitions against the Subletting and Vestry Act. In the prayer of the first two petitions he concurred; but he could not accede to the prayer of the latter. He believed that the objections to laws enacted for Ireland frequently arose from the jealousy with which the people viewed the acts of a legislature in which they had no part. He thanked God that the time was at hand when Catholics would become a part of the legislature, and have an opportunity to amend, if amendment was necessary, the laws relating to Ireland. At all events, the promised measure would give the people confidence in those who legislated for them.

Lord *Newborough*, in presenting several

petitions from Carnarvon, in favour of the Catholic Claims, expressed his concurrence in the prayer of them, and his confidence that ministers, who had now undertaken the settlement of this question, would accompany it with such securities as would tranquillize the minds of the Protestants, and at the same time afford satisfaction to those for whose relief the measure was intended.

Sir *E. Knatchbull* said, he had, on a preceding evening, given notice of his intention to present a petition, in reference to the claims of the Roman Catholics, coming from the county which he had the honour to represent. He had announced that intention with the view of accommodating those gentlemen who were interested in it, and in the proceedings of the meeting at which it was carried. The petition in question was a petition from the freeholders of Kent, assembled at Penenden Heath, under the auspices of the high sheriff, for the purpose of taking the great question of the Catholic claims into consideration. He spoke in the presence of many gentlemen who were present at the meeting, when he said, that a meeting more numerous or more respectable had never on any public occasion met; and he thought he might say with equal truth, that the discussions which took place there were conducted with as much order and regularity as it was possible for discussions on a public question to be, which took place before a large assembly of people; and the result of those discussions was most unequivocal and indisputable. He was quite aware, on questions of this kind, which excited so much warm feeling, that it was not pleasing to any party to admit of the other party that they had entirely succeeded. He would, therefore, be satisfied, without entering into a discussion as to what was the precise majority in favour of the present petition, with stating, that the high sheriff, than whom no man could have acted with greater fairness, declared, that the question was carried by an immense majority. The meeting, at which this petition originated, was held on the great question of the Catholic claims, for reasons which appeared to those who were instrumental in calling it to be imperative. The agitated state of Ireland, and the course which events had taken in that country, were the reasons which induced the calling of this meeting, and its object was the consideration of the Catholic claims. Those who had been in-

strumental in convening the meeting, had viewed, for a long time past, the conduct of the Catholic Association in the same manner as his majesty's government then viewed it. They had witnessed with alarm the collection of rent, and, above all, that money was sent from foreign countries to foment discord and disaffection in this. They felt that, under these circumstances, they would be rendering a service to their country, if, in calling for the expression of the county of Kent, they elicited an opinion favourable to what they then conceived to be the plans and intentions of government. With that view the meeting was called, and the result was such as he had stated it. It was certainly true, that at the present moment he addressed the House with feelings different from those which he had anticipated. It was certainly true, and he would not pretend to conceal it, that he now addressed the House under circumstances and feelings of great and deep disappointment. It was a disappointment occasioned, not by the success of those who had persevered so long in advocating the claims of the Catholics, but by the conduct of those who, for reasons an account of which, satisfactory to himself, he had not heard, had acted in direct opposition to all their former principles. He would, indeed, candidly confess, that it was not so much on account of the question itself, as on account of the manner in which it was about to be carried, that he felt so deeply on the occasion; and he would add, that although he had always with perfect sincerity opposed, and would still continue with perfect sincerity to oppose, the principle of further concession to the Catholics, yet he could with equal truth declare, that if the measure about to be proposed by his majesty's government should be adopted by parliament, he cordially hoped that it might be productive of all the benefits which its proposers and supporters anticipated from it. If any thing which he had said since the meeting of parliament, or which he should now say upon the subject, might be supposed indirectly to cast any imputation or reflection upon the friends of the measure, he hoped, in these preliminary observations, to get rid of all topics of a personal nature; and he trusted that henceforward the undivided attention of the House would be bestowed upon the merits of the great question which was to come under their consideration. It had been asserted, in the course of the debates

which had already taken place, that he and those who thought with him on the question, were influenced by certain purposes of their own; that they had ceased to support the right hon. Secretary of State for purposes of their own. This had been stated the other evening by a noble lord, the representative for the university of Cambridge; though he had no doubt that it had merely fallen from the noble lord in the warmth of debate, and that the noble lord had no intention of throwing out any serious imputation on those who differed from him in opinion. Nothing could be more clear than that it was impossible they could be so influenced: nothing could be more clear than that it was impossible they could be influenced by any purpose but one; namely, an anxious desire to discharge their duty conscientiously to their constituents and to the country.—There was another point, which he wished to treat with equal fairness. It had been said, that the change of circumstances justified, at present, a measure which was not before justifiable. Now, he must say, that he had listened with great attention to the right hon. Secretary of State, and to other hon. gentlemen, and he had not been able to discover why the measure which was now proposed by his majesty's government, would not have been equally proper at former periods; for instance, at the time when Mr. Canning was at the head of the administration. The sincerity and zeal of Mr. Canning, in advocating the Catholic cause, did him honour; although he had always opposed him on the question, as he should oppose the right hon. gentleman, until he obtained something like satisfactory information, if such could be afforded, as to the reasons which had induced the right hon. Secretary of State to change his determination upon the subject. He by no means meant to say any thing inconsistent with perfect respect for the right hon. gentleman. He by no means meant to impute to the right hon. gentleman, that he had been actuated by love of office, or by any unworthy motive. On the contrary, he was persuaded that he acted solely from a sense of what he conceived to be his public duty. But he repeated, that he had not yet heard any satisfactory explanation of the reasons of the right hon. gentleman's conduct. One argument had been urged by several right hon. gentlemen, which, he confessed, surprised him exceedingly. It had been said, that if those who were hostile to the mea-

sure about to be proposed, felt that they could not oppose it with success, they ought not to oppose it at all. This was singular doctrine in a British House of Commons. If it were once established, to what evils and absurdities would it not lead! He would illustrate his argument by a reference to the bill, the second reading of which the right hon. gentleman was that night to move. The principle of that bill was allowed on all hands to be such, that it could be justified only by the emergency. But, let it be supposed that any hon. members happened to be of opinion, that no such emergency existed, would they be justified in declining actively to oppose the measure, because it was probable that, notwithstanding their opposition, it would be acceded to? He was sure the answer would be in the negative. He was sure he should be told, that in such a supposed case perseverance in opposition would be a sacred duty. Well; that was exactly the situation in which he and the other hon. members who opposed further concessions to the Roman Catholics stood. Apprehensive that the constitution of the country was about to be invaded, they were determined, and justifiably determined, to endeavour to defend it to the last moment. In making this declaration, however, he trusted that it would not be supposed that they were prepared to conduct themselves in the spirit of faction. Although they felt that it would not become them silently to acquiesce in a measure which they reprobated, they also felt, that it would not become them to give to their opposition to that measure a character of violence and intemperance. Nor was their opposition to the Catholic claims founded on any grounds of religious intolerance. Let the House hear the petition which he was about to present, and they would find that every topic calculated to lead to irritation had been studiously avoided; and that the prayer of the petition was simply, that the Protestant constitution of the empire might be maintained and preserved. He had no desire to conceal from the House, that the debate at the meeting in Kent, turned on the question of granting political power to the Catholics, by which was understood granting them seats in parliament: he, and the other supporters of the petition, entertained no unfriendly feeling whatever towards their Catholic fellow-subjects. On the contrary, they were desirous that they should possess all the rights and privileges

which were compatible with the security of the Protestant constitution. But they were apprehensive, that if the Catholics were put in possession of political power, they would use that power to the injury of the Protestant constitution. It was on that principle that the question had been argued on Penenden Heath; it was on that principle that it was his intention to discuss the measure about to be introduced by his majesty's government.—It had been stated, with reference to the petition, that, having been agreed to before the delivery of his Majesty's Speech, it could scarcely be considered as expressive of the sentiments which the petitioners might entertain, under the change of circumstances which that Speech had occasioned. In that assertion there was much ingenuity; but he was quite satisfied, both from his own personal knowledge, and from communication with other individuals, that no alteration had taken place in the opinions of the petitioners since his Majesty's Speech had been delivered to parliament. He understood that a petition of a different nature, which was called a counter petition, was to be presented to that House. In the county of Kent, as well as in that House, a difference of opinion existed; but he maintained, that a large majority of the county were adverse to the adoption of the Roman Catholic claims. The meeting at Penenden-heath had been, he would admit, attended by a great many persons, eminent for their talents, rank, and general respectability, who were known to be warm and zealous advocates of Roman Catholic concession; but if those gentlemen were unable to induce the majority of that meeting to embrace their view of the subject—if they were unable to turn the popular tide in their favour, the fact could lead to no inference whatever, but that the sense of the majority of the freeholders of the county were opposed to the concession of what was called Catholic Emancipation. He would no longer detain the House, except by repeating his assurance, that if it should be his lot to take a part in the discussions which the measure about to be proposed by government would elicit, the sole motive by which he should be actuated would be an anxiety to maintain inviolate the Protestant constitution, convinced as he was, that on the maintenance of that constitution, the safety and happiness of the empire depended.

Lord Francis Osborne said, he had not

intended to have troubled the House by making any observations in the present state of the discussion; but the hon. member for Kent had made some allusions of a personal nature, which were so temperate as to be entitled to an answer. There was nothing more delicate than to assume the voluntary defence of the conduct of a friend, and his right hon. friend near him (Mr. Peel) need be under no apprehension that he was going to undertake so superfluous a task as to attempt that defence of the right hon. gentleman which he had so admirably and successfully achieved himself. The hon. baronet had said, that no circumstances had lately occurred which could justify the course which his right hon. friend had thought it his duty to pursue upon the present occasion. He should not enter into any detail of the circumstances which had led to the measures which were now under the consideration of the House; but, without going into that part of the subject, he should observe, that the Catholic question was one which, beyond all others, was the most calculated to attract to itself all the unpledged talent of that House. It had been in particular distinguished by the advocacy of two most illustrious members, of whom one had been removed from amongst them by an event which they must all deplore, and the other by being transferred to a judicial situation—he meant the late Mr. Canning and lord Plunkett. When the subject of the Catholic claims was before the House two years ago, if any one had announced to them that before the next discussion of the question they should lose the services of those illustrious men, what would then have been the expectations of the friends of this measure? They would, doubtless, have thought, that it must be rejected by a large majority, when deprived of the support of those splendid talents, which had previously supported it against the weight and influence of a large portion of the government; but, when they saw that on the very first discussion which followed the removal of those two great men the principle of concession to the claims of the Roman Catholics had been adopted by a majority of that House, they must arrive at the conclusion, that a measure which had so succeeded, must have taken a strong hold upon the reason and sense of justice of the country. In meeting the monstrous proposition, that the right hon. gentleman was not at liberty to guide his conduct by

the alterations which had taken place in the circumstances of the country, he should only say, that such a doctrine would go to deprive the right hon. gentleman altogether of his reason, and to leave him no better guide for his actions than mere instinct; for what was the distinction which a great philosopher had pointed out between instinct and reason? That the conclusions of reason were always indefinitely increasing, whereas instinct was incapable of generating any additional perceptions, and was always stationary and unimprovable. Was his right hon. friend to be prevented from using his reason; to be reduced to the condition of a being in the lower orders of creation; to be ranked with the beaver, the habits and feelings of which continued precisely the same for thousands of years? There was nothing in the course which his right hon. friend had adopted, that could justify the hon. baronet's remarks. He had said thus much, because although, if he had not entirely approved of his right hon. friend's propositions, his respect for him might nevertheless have induced him to have given his right hon. friend his support; yet, under such circumstances, he should not have given that support with the feelings of satisfaction, cordiality, and gratitude which he now entertained; convinced as he was, that his right hon. friend and the noble duke at the head of the government would prove themselves to be the regenerators of Ireland, and the saviours of the empire.

Lord Clifton said, that as, in the absence of his hon. friend, the other member for Kent, he was about to present a petition of a nature very different from that which had been presented by the hon. baronet, he should think it more convenient to address now to the House those observations which he intended to make upon the subject, than to defer them until the presentation of that petition. In reference to the petition which was in the hands of the hon. baronet, he should most freely admit, that the signatures attached to it were those of persons of the highest respectability. For the clergy he entertained all the respect and reverence which was due to their characters; with the gentry who had affixed their signatures to the petition he was intimately acquainted, and entertained for most of them a sincere regard. The freeholders he considered as entitled to great weight and respect in the public consideration; but, whilst he admitted all this, and,

further, confessed that the number of signatures attached to his petition was much inferior to that of the hon. baronet, still he could not admit that the petition which he presented did not speak the sense of the county upon this most important subject. He had not, for some time, seen the petition which had been agreed to at the meeting at Penenden-heath; but from the recollection which he entertained upon the subject, he believed that it was as mild, as gentle, and as inoffensive, as any document could be, and was such a document as he or any of the friends with whom he was in the habit of acting would feel no difficulty whatever in affixing their signatures to, if it were not for the *animus* by which the whole proceeding was known to have been instigated, and if they did not know that the whole had been set on foot and conducted on the principle of intolerance. Another circumstance which would account for the great superiority of numbers in the signatures to the petition of the hon. baronet was, that great exertions had been made to induce the freeholders to sign it. It was not to be wondered at that the humble freeholder, with his clergyman on one hand and the squire of the parish on the other, should affix his signature to a petition so general and so inoffensive, and which, as had been confessed by the hon. baronet himself, contained not one word on the subject of Catholic emancipation. Here the noble lord read an extract from the petition which he was about to present, and said, that that petition was of a decided character, and such as required that the persons who signed it should have brought their minds to a specific conclusion upon the point. Was it, then, to be wondered at, that this petition should have fewer signatures than the other, which was of so general and undecided a character? He admitted that the signatures to his petition were much inferior in number to those of the petition of the hon. baronet, but he considered that even the number which had been attached to the petition which he had to present, was greater than he could have expected; and, if two years ago, any person had told him that such a petition would, in the present time, receive such a number of signatures in such a place, he would suppose that the person communicating such an opinion was mad. The hon. baronet had said, that even if the King's Speech had been published before the meeting had taken place, the result

would have been the same. He did not mean to deny that such an assertion was true of some part of the hon. baronet's constituents; but he happened to be well acquainted with another part of the county of Kent, where he was convinced that the case would be different. He should instance the neighbourhood of Chatham. In the dock-yard, about two hundred of the artisans and labourers were freeholders of the county, and they had all signed the petition agreed to at Penenden-heath. But, with all respect for the freeholders, he must be allowed to say, that he doubted much if they would now sign the petition, if the matter were to be done over again. The petition had been signed by them within the walls of the dock-yard, under the inspection of their officers, and, perhaps, under an impression that the first lord of the admiralty was decidedly hostile to the Roman Catholic claims, and an advocate of intolerance. While he admitted that there was a majority in favour of the hon. baronet's petition, he must say, that the majority was not, as the hon. baronet had called it, "immense." He was afraid it would be vain for him to state his opinion upon the relative numbers, as they differed so widely from those of the hon. baronet. Indeed, he thought it a fortunate circumstance that the yeomanry force of the country had been dispensed with, as the hon. baronet and himself had both commanded troops, and it appeared, from the very different conclusions to which they had come in estimating the numbers at that meeting, that one or other of them had a very unsoldier-like eye. But, whatever might be the numbers present, the dinner at Maidstone, from which the counter petition emanated, was better conducted, more orderly, and more like a deliberative assembly. At Penenden-heath the counter-petitioners had difficulties to encounter, which the Brunswicks were free from. There were intruders of all descriptions. Their line was constantly broken by persons from this part of the country and that; and though the hon. baronet had represented the meeting as an orderly one, he had never seen greater tumult and confusion in all his life. From the influence of the refreshments, which were liberally distributed in the waggons, and the intrusion of persons at all times noisy and unseasonable, it was impossible to preserve order. Of all the circumstances which occurred during the meeting,

there was one which he particularly lamented; namely, that a noble friend of his (lord Radnor) should have been induced, at the close of the day, to pass an eulogium on an individual (Mr. Cobbett) who, he confessed, was the last person in the whole multitude who deserved it. Could any one doubt but that the individual in question had gone to the meeting from mischievous motives, and with the intention of dragging the freeholders into some of his views, as he had done the freeholders of other counties before? But, from what had occurred upon that occasion and since, it was to be hoped that that individual would never show his face at a county meeting in Kent again. It had been much the fashion to abuse the Brunswick clubs; but, little as the House might expect it, he was inclined to speak of those societies in a very different tone. He believed that the Catholic question was more indebted to the Brunswick clubs than to any other cause whatever for the high degree of advancement, or rather for the ultimate success, to which it had arrived. Those clubs had opened the eyes of the people, and since the meeting at Penenden-heath, the question had been deliberately canvassed throughout the country; and, as it was founded on reason, justice, and truth, the more closely it was considered, the more likely it was to succeed. He congratulated the right hon. Secretary, that when the good of his country was at stake, he had disregarded all private considerations and personal sacrifices, and fearlessly performed his duty, without regard to the inconveniences which it might produce to himself.

Mr. Secretary *Peel*, in a tone and manner indicative of strong feeling, observed, that of course he was bound to presume, that the hon. baronet, the member for Kent, was influenced, in the reproaches which he had thought proper to cast upon him, by public motives alone. He would, however, tell that hon. baronet, that he would not condescend to make any apology to him, for the conduct which he had thought it his duty to pursue. He would not condescend to explain to the hon. baronet the reasons which had induced him, as a responsible adviser of the Crown, to give to the Crown the advice which he had given. He knew of no relation in which he stood to any man. He knew of no relation in which he stood to any body of men—which called upon him to state why, when he was sent for by his sovereign to give, at a critical

moment, that advice which he was bound on oath to give to the best of his ability and judgment—he should have refrained from doing his duty. He had contracted no relation with any man—he had contracted no relation with any party—which could either relieve him from the obligation of giving his majesty the best advice in his power, or which could justly subject him to the charge of having been guilty of inconsistency, or of a dereliction of principle in so doing. He repeated, therefore, that he would not condescend to look out for excuses for the line of conduct, which, under these circumstances, he had determined to pursue. As a member of that House, he felt himself as independent as the hon. baronet, and in every respect as consistent. But very different would have been his feelings, if he had not advised his king, as he had done, to the best of his abilities. He had taken his oath as a member of the privy council, and that oath not only compelled him to give the advice which he had given to his sovereign, but it would have rendered the withholding of that advice a dereliction of principle, and a strong violation of his duty. He had, and he trusted that he ever should have, firmness and strength of mind to forget in the councils of his king, what had been his past declarations and his past conduct, under circumstances which rendered neither applicable to the actual state of the country. He must also say, that he had firmness enough to pass by any insinuations which might be levelled against him for so doing. One observation of the hon. baronet had been, that he (Mr. Peel) might have taken his present course at a different period—when Mr. Canning was at the head of the government. He would tell the hon. baronet, that he had, for the full period of twenty years, resolutely and zealously opposed every compromise with the Catholics. He could tell him, that it was with the utmost reluctance that he had at length consented to break in upon the constitutional settlement of 1688; but he would also tell the hon. baronet, that he was too true and consistent a friend to the Protestant interests; he was too sincerely attached to the Protestant Establishment, to push his resistance to concessions, to that point which should endanger the very existence of the institutions which he was anxious to defend; and he thought that, so far from being inconsistent in his

conduct in regard to this matter, he was the most consistent friend of the Protestant institutions of the country, seeing that for the 'purpose of maintaining them in security, he had submitted to undergo every species of personal imputation and reproach. Those were the grounds on which he had acted, and they were grounds on which he had a right to act. No man was worthy of being a minister of the Crown, who, when his advice was required upon a measure of great national importance, should say, "I am fettered by declarations I have made; I am not enabled to look at the present aspect of affairs; I must consult my friends and party, in order to see my way." He confessed that these considerations held out a powerful temptation; but no man was fit to have a place in the councils of his sovereign, who could not resist them. The hon. baronet seemed to be of opinion, that some sort of deception had been practised by the government, and that he and his friends had been taken by surprise. Now, how could government have proclaimed its intentions? Would the hon. baronet have had it resort to the newspapers? Was it possible that government could tell the world what course it meant to pursue, parliament not being sitting? How many lessons had been read, with reference to this very question, upon premature discussion. What had happened at the time of the Union? He had always contended, that no pledge had been given at that period which could bind any one; but expectations, certainly, had been entertained which were disappointed. And why? Because Mr. Pitt pledged himself, before he was perfectly certain that he should be able to fulfil that pledge. In 1806 and 1807, it was notorious that the same inconvenience resulted from premature declarations. He would say, that not only with respect to this question, but all others, the government which kept its own counsels was most likely to conduct the affairs of the country to advantage. He admitted to the hon. baronet, that it would have been infinitely better if he could have adopted the course which he was now pursuing in a private instead of a public station. He could only say, that every thing which it was possible for man to do, he had done, to enable him to take that station; but when the question was this—"What advice will you give? Will you advise the maintenance of the present state of things?"—"Certainly not." "Will you

advise the formation of an exclusively Protestant Government, offering eternal and uncompromising resistance?" His answer was, "I cannot; because I know that such a government will fail, and in its failure will render every thing worse than at present." Then came the obvious reply, "If, then, you can take neither of these alternatives, but one course is left to be pursued—to attempt to make a safe settlement of the question, by a united government." "To do that imposes painful sacrifices." "Will you shrink from making those sacrifices, which you advise others to submit to?" He answered, without the hesitation of a moment, "Come what may, I will be the man to set the example of those sacrifices." [loud cheers].

Lord *Palmerston* disclaimed any thing personal towards the hon. baronet. Although he had differed with him in opinion, such differences had never prevented his doing justice to the hon. baronet's conduct in that House.

Sir *E. Knatchbull* regretted very much that any thing which he had said should have induced the right hon. Secretary to address the House with so much warmth, and he appealed to the House whether any thing that had fallen from him could justify the manner in which the right hon. gentleman had thought fit to answer him. He fully admitted the right of the right hon. gentleman to advise the Crown according to the best of his judgment, but to himself it belonged to arraign the conduct of any minister who should, in his opinion, have transgressed the line of his duty. He should, however, he hoped, always exercise this right in a manner respectful to the House, and to the individual who was charged before them. With regard to the statement of the noble lord that great exertions had been made to procure signatures to this petition he could say for himself, that he had used none; and if the noble lord could say as much, then the two petitions would appear to be the spontaneous effusion of the public mind in that county. But as the noble lord's petition had only one thousand seven hundred signatures, whilst his had five thousand, he was entitled to claim for the petition which he presented, the distinction of representing the sentiments of the great majority of the freeholders of Kent.

Mr. *W. Duncombe* observed, that the remarks which had fallen from the hon.

member for Kent did not warrant the warmth of temper exhibited by the right honourable Secretary. He must also take leave to observe, that to say that any member of that House had not a right to arraign a minister, with respect to any measure which he had thought it his duty to recommend to parliament, was a doctrine to which the people of England had not hitherto given their consent. It was a doctrine to which he as one of the representatives of a large county, would not consent to subscribe; and he hoped that, during the discussions which would take place on this question, he should exhibit every degree of temper, whilst, at the same time, he would not compromise his dignity as a member of parliament by surrendering his right to arraign the conduct of any government, or of any minister. He did not think that the hon. baronet meant to impute unworthy motives to the right hon. gentleman. Indeed, he had distinctly stated, that such was not his intention. For his own part, the right hon. gentleman was the last person on whom he would cast an imputation of that nature. However much he regretted, that the right hon. gentleman had been induced to recommend to parliament a measure, which would be most prejudicial to the country, and injurious to the Protestant interest, he nevertheless gave him credit for the utmost purity of motive.

Mr. Secretary *Peel* said, he cordially concurred in every word that had fallen from the hon. gentleman. He admitted the right of any member to attack the conduct of a minister of the Crown; but he also claimed for himself the right to defend his own character, when it was assailed. The right was reciprocal. Once for all, he had now explained the course which he had taken upon this subject. He would now make no more reference to his own personal share in the question. He would not be betrayed into the manifestation of warmth, which he admitted was quite inconsistent with the deliberate consideration of the measures which were shortly to be submitted to the House. If he had already been betrayed into any warmth of temper, he had unfortunately been betrayed into a departure from the course which he had prescribed to himself, on proposing measures of such paramount importance. He would in future observe the recommendation of his majesty, to enter upon the consideration of those

measures with the temper and the moderation which would best ensure a successful issue to the deliberations of parliament.

ASSOCIATION SUPPRESSION (IRELAND) BILL.] Mr. Secretary Peel moved the second reading of this bill.

Mr. *Hobhouse* said, he understood, from the excellent address of the right hon. Secretary on a former evening, that none of the provisions of the bill were intended to be permanent: he found, however, on reading the first paragraph, that that part of the bill which enacted the Suppression of the Catholic Association was intended to be permanent. He wished for some information, with respect to this apparent contradiction. If his reading of the bill were correct, he should feel it necessary to oppose the measure; which however he should be reluctant to do, because he felt, in common with his hon. friends around him, a most earnest wish not to throw the least obstacle in the way of the great measure which ministers had in contemplation. When he was informed, that the late Lord-lieutenant of Ireland had declared, in his place in parliament, that though the Association had been "under his nose for six months,"—that was his expression—he saw no danger in it, he must declare, that having always protested against any thing like an infringement of the constitution, which this bill was, on all hands, allowed to be, he would have strenuously opposed the present measure, were it not to be followed by another of such vital importance. He differed from the general opinion, with respect to the character of the Catholic Association, and he also differed from the opinion expressed by some members, with respect to other popular Associations, by which it had been opposed. The hon. member for Dublin had told the House, that the members of the Brunswick clubs had been entirely actuated by the spirit of Christian charity. Now, he had often read descriptions of charity, and had seen that virtue personified in different ways; but the present was the first occasion in which he had ever heard that she made her appearance amongst mankind, with a bludgeon in one hand and a pitchfork in the other. The admissions made, on both sides of the question, were sufficient excuses for the Home Secretary, in his change of opinions. He felt such a conviction, that something must be done for

Ireland, that he was inclined to overlook the many objections that might be made to the present bill; for he believed that some such measure was necessary for the success of what was hereafter to be proposed. If the House waved all objections to the bill, let it be clearly understood that the ultimate proceeding was to be carried as a government measure, and that the noble duke at the head of the administration, as well as the right hon. gentleman opposite, staked their places and reputation, for the carrying of it. The House had a right to expect, that the noble duke would complete the work in the way in which he had begun it, and would not be turned aside by public opinion or private insinuation of any kind. It had been said, that popular feeling was decidedly adverse to Catholic emancipation. It was surprising such an assertion should be made, when the district in the immediate vicinity of that House, sent six members to parliament who were favourable to concession. After such a fact he could not understand why it should be said, the people of England were adverse to the Catholic claims. He was sure the ministers would be supported in the measure by the voice of the country. As to intimidating the king's ministers, such a thing was not unconstitutional; they ought to be afraid to do wrong. If they could not feel an apprehension of committing arbitrary measures, what was the use of the word responsibility? If the ministers had been intimidated it was by the experience, that they could not carry on the government safely, with the exclusion of a large portion of the people from the privileges of the constitution. The measure had been advocated by many of the illustrious dead, who had adorned that House; and when hon. members praised a late right hon. gentleman, Mr. Canning, let them not forget those men who, in other times and under greater difficulties, advocated the great question when there was no prospect of their labours being brought to a successful issue. Let them not forget the Grattans, the Foxes, and the Windhams. If ministers had not listened to the warnings given by those great men, they would be unworthy of their situations, and of the high reputation which they had now acquired. He was sure the ministers would find themselves supported, not only in that House, but in the other. He hoped it was understood that the measure of con-

cession was a government measure. He trusted the ministers would assume the same manly attitude, and hold the same manly language that had been used that night by the right hon. Secretary so much to his honour.

Mr. Secretary *Peel* stated, that the powers given in the bill to the Lord-lieutenant, would terminate with the bill; namely, after the space of a year, and the end of the then next session of parliament.

Mr. *Batley* said, he should give his assent to the bill, on account of the necessity of the case. Nobody could approve of the Catholic Association. It had been levying taxes upon the Irish community: and for what purpose? He had no hesitation in saying, for the purpose of intimidating the legislature, into a repeal of the existing laws of the realm. He had the highest confidence in the noble duke at the head of the government, as well as in the right hon. Secretary; and should, therefore, wait until the details of the measure were brought forward. But this he must say, that he would watch with jealousy every measure proposed as a security for the Protestant establishment.

Mr. *Wilmot Horton* said, he rose to state briefly his assent to the motion, from a conviction that the condition of Ireland was such, that it was impossible a worse could exist. The remedy proposed—he meant that before the House—he thought was a good one. It was summary, but temporary; and, looking at the objects it had in view, he considered it founded in justice and wisdom, when coupled with the other measures which were intended. Yet though he approved of this bill, he should not be inconsistent when he said, that if it had been brought forward without an understanding that the measure of conciliation was to follow, he would not have given it his support; for though there were many objections to the existence of such a body as the Catholic Association, he would never have voted for its suppression, unless in conjunction with, or under the assurance of, a measure of concession; believing as he did that concession was essential to the peace and security of the country. In this view of the case, he gave great credit to ministers for the course which they proposed to pursue; for he was quite satisfied that any measure having for its object the peace and tranquillity of Ireland, must be

wholly inoperative, unless it was to be accompanied, or immediately followed, by the great measure of concession to the Roman Catholics. He had little further to offer, on the part of the subject then before the House. There was, indeed, nothing in it to grapple with: there was no opposition; for every member who had spoken seemed to be of one opinion with respect to it. As to the measure to be brought forward, he did trust and hope that it would be brought forward in a manner which would give content and satisfaction; for unless it was one of that description, the very mootings of it would be productive of dangerous consequences. He trusted, therefore, that in that, and in the other House of parliament the measure would be carried through in a manner to give satisfaction to every reasonable Protestant and every reasonable Catholic. For himself, he would be perfectly satisfied, with a simple repeal of the penal statutes; but being convinced that there were prejudices in the minds of many, he thought they ought to be conciliated by every reasonable concession, so as not to trench on the general principle of the measure itself. With this feeling, he hoped the whole measure would be such as to give satisfaction to all parties—he meant all reasonable men; for he knew there were some to whom no modification of the principle of concession would be satisfactory.—As much had been said of the personal feelings of individuals on this occasion, he felt it due to his right hon. friend to state, that he rejoiced at the course which he had adopted. He conceived that that course was not a dereliction of any principles he had held, when he made the manly admission, that he was influenced by his preference of actual safety to contingent danger. His right hon. friend had not renounced the opinion that there was some danger; and in preferring the contingency of that danger to the risk of present security, and retaining office with that avowal, he conceived that he acted a most manly, honourable, and unselfish part—a part which must tend to raise his character and influence in the House and the country infinitely more than if he had slunk into one of the back benches, and suffered others to carry into execution that measure, which, although it corresponded with his views of the true interests of the country, he had not the integrity to avow. He had, with as much

candour as courage, declared and acted upon an opinion consistent, as he thought, with the true interests of his sovereign and of the people, and for that opinion he was not responsible to any man. He regretted to hear some hon. gentlemen announce their determination to oppose the measure contemplated by the government at every stage. His own determination was quite of an opposite character. He would do all in his power to give effect to the measures which the government were about to introduce; for he felt that those measures would entitle them to his gratitude, as well as to that of every well-thinking man in the community. All who duly weighed the vast interest connected with this important question, must, he thought, come to the same conclusion; unless, indeed, they were prepared to adopt the terrible alternative, and declare at once that the question should never be settled.

Mr. *Spring Rice* assured the House, that he did not rise for the purpose of prolonging the discussion; but when he recollected the former opposition given to a measure similar to the present, the length of the debates, and the obstinacy of the resistance made to it, he could not content himself with giving a silent vote upon it. The reason why he voted for this bill now, having opposed it before, had no reference to the conduct of the Association, or to the individuals who composed it: on the contrary, he differed with many honourable members who had spoken against them. He said this, because he felt that every act of that body, every effort which they made, short of an actual infringement of the law, was perfectly justifiable, in stating their grievances, and seeking redress. It was the duty of that body to arouse the feelings of the people, from one end of the country to the other, and incite them to a determination to call for relief. This he deemed it the right of that body to do, and parliament, unless it meant to remove the grievance had no right to interfere. This brought him to what had been stated by the hon. member for Westminster, with reference to the proposed bill. That hon. member stated, that he would vote for it solely upon the ground that it was to be followed up by that more important one which was to be introduced and carried as a government measure: the hon. member had, at the same time, expressed some vague apprehension with respect to that measure.

For himself, he entertained no such apprehensions; but if there were grounds for entertaining them, he should then say, that the bill before the House was mere waste-paper, and would be altogether inoperative. Unless the grievances of Ireland were redressed, it would be impossible to stifle the voice of complaint; no matter whether it came through the Catholic Association or through other channels. He must confess that he entertained a wish that the preamble of the bill had run differently; and he thought, too, that it would be well if hon. members would deliver their sentiments, without pointing out what the former conduct of the Association had been, as the hon. member for Beverley had done. His firm belief was, that the Catholic Association was now and for ever dissolved; he had reason to know that that step had been taken, advisedly taken; and further, that the Catholic hierarchy had advised the people to place confidence in the king's government and in the legislature, and give up altogether that Catholic Association, of which so much had been said.—The vote which they were called upon to give upon that occasion, was, he confessed, a vote of confidence, as they could not tell what the nature of the other bill would be; they had, however, a right to expect that it would be a measure that would satisfy the House and the country. He thanked the hon. member for Westminster for the manner in which he had alluded to the late Mr. Grattan; and he was sure that if that great and good man, who might be justly looked upon as the liberator of his country, had lived to witness the final completion of his own great work, it would give him, as well as those who admired his talents, infinite satisfaction and delight. He must own that he had, in the first instance, felt some difficulty on the subject of the penalties in this bill; but he was quite satisfied with the explanations given by the right hon. gentleman; for it would be absurd to suppose that it could be intended to put down permanently by a temporary measure. However, they were legislating for what no longer existed; and he trusted, that, in the further progress of this measure, every allusion which could tend to create irritation would be avoided. He was, in the abstract, not friendly to assemblies or clubs similar to that; and he was glad that all cause for their existence was about

to be removed. On this subject he would beg leave to read to the House an authority, which would be considered as of much weight on matters where freedom of discussion was concerned. The extract which he begged leave to read was from the farewell address of president Washington in 1796. Speaking of party associations, that great man said, "All combinations and associations under whatever plausible character, with the real design to direct, control, counteract, or awe the regular deliberation and action of the constituted authorities, are destructive of the fundamental principles of government, and are of fatal tendency. They serve to organize faction, to give to it an artificial and extraordinary force—to put, in the place of the delegated will of the nation, the will of a party—often a small but active and enterprising minority of the community—and, according to the alternate triumphs of different parties to make the public administration the mirror of the ill-concerted and incongruous projects of faction, rather than the organ of consistent and wholesome plans digested by common councils and modified by mutual interests." Such were the opinions delivered by Washington, a republican, as to the effect of associations generally. He hoped that, under the provisions of this bill, all associations would be suppressed on both sides, and that both parties would be taught that the control of government, acting under proper responsibility, would afford them the best protection and security. He trusted that the lord lieutenant would exercise the power intrusted to him impartially towards all parties. In expressing this wish, he assured the House that he spoke not in distrust, but in confidence. He thought that that part of the bill might be read in this way; namely, that if in any part of Ireland, associations, no matter of what description, should be found to exist, calculated to endanger the public peace, then the power of the lord lieutenant should be called in and acted upon, for their suppression. It was not for him to point out any particular associations; but he hoped and trusted, that all associations would cease to exist in Ireland. He trusted that the communication which he had been authorized to make relative to the close of the Catholic Association would give satisfaction, as well to the friends of Catholic emancipation as to many honourable members who might,

on other grounds, entertain apprehensions of its continued existence.

Mr. *Hume* said, he was most anxious to state his opinion upon this question, because on a former occasion, when a bill was introduced to put down the Catholic Association, he had exerted himself to prevent its passing, and had ventured to state, that unless the cause which had enrolled so many millions of Irishmen in their own defence were removed, no legislative provision could be of any avail. He rejoiced that the Association had not been put down, as he believed it was the cause of the success of the great and important object which they were on the eve of achieving. He begged leave to protest against the doctrine of his hon. friend, who had expressed his condemnation of associations; and he protested against it on this ground, that he considered it the great and peculiar advantage of England above all other countries, that whenever any oppression took place, or was attempted, bodies of men, no matter whether they amounted to twenty or twenty thousand, had an opportunity of making their appeal and forcing upon the attention of the government of the country, those rights which were about to be attacked. He could not agree in thinking that this Association was either dangerous or unconstitutional; and he thought that those members of a government would be unfit for the posts which they filled, who should avow that it was the source of any danger. There was proof that no sooner was an intimation given that measures were about to be carried into effect for the relief of the country, than the Association ceased to exist. He thought that that very Catholic Association had done more to preserve the peace of Ireland than all the military force with which it was encumbered; far more than the forty thousand soldiers who were stationed in it. He would give the ministers every assistance in his power towards carrying the measure of relief which they proposed; although he thought they ought to have done it with a better grace, and not to have introduced the present bill, as a preliminary necessary on so important an occasion. He was quite satisfied that had the penal laws been removed there would have been no occasion for this measure, and yet the government had made the measure so offensive to the Catholic Association, that, if they could take offence

at any thing on the eve of so important an acquisition as they were about to receive, this was the very means to excite their discontent. He might safely say that the Catholic Association was not half so dangerous—or so violent in its denunciations—as the Brunswick clubs, which, notwithstanding, were never mentioned. He had not heard that any members of the Catholic Association had gone so far as to say, that they were prepared to extirpate their opponents, as had been said in some of the Brunswick clubs. He thought, therefore, that ministers ought to have acted so far with impartiality, as not to have mentioned the one, while they omitted the other. He protested against the principle upon which this bill was to be carried. It was, in effect, a suspension of the principles of the constitution. Notwithstanding this, he was so anxious for the success of the measure which was about to be brought forward, that, although he did not approve of this bill, yet, as a minor evil, he would not oppose it.—He could not help regretting that the right hon. Secretary of State, who had distinguished himself so much by his conduct on this occasion, had not endeavoured to make the boon a little more palatable. At the same time he felt that no praises which he could offer—no thanks which he could return—to the duke of Wellington, or to the right hon. Secretary, could recompense them for the benefits they conferred upon the country, by the course which they were about to adopt. He said this the more earnestly, because it had not often fallen to his lot to approve of the conduct of any ministry. No measure which had been brought forward since he had had the honour of a seat in parliament appeared likely to be productive of so much benefit to the country as the present, and the individuals who brought it forward were pre-eminently entitled to his thanks individually, as he was sure they would receive those of the country in general.—Before he sat down, he would beg leave to say one word in answer to something which had fallen from the right hon. member for Louth, on a former evening. That right hon. member had said, in one sweeping clause, that the whole of Scotland was adverse to granting to the Catholics of Ireland their civil rights. He should be glad to know on what ground the right hon. gentleman advanced this assertion—on what authority

he maligned the whole of his countrymen in one sweeping clause. He was satisfied that there was no ground for the assertion, and that, like many other of the right hon. gentleman's statements, it was altogether, as far as he knew, unfounded. He wished the right hon. gentleman to understand that, whether he formed his judgment from the representatives of the people of Scotland in that House, or from the petitions which had been presented from that country against the claims of the Catholics, he was altogether mistaken. With the exception of some insignificant, self-elected boroughs, there was no one occasion that he knew of for the last eight or ten years, when the people of Scotland degraded themselves in the manner stated by the right hon. gentleman. He believed they possessed more gratitude, and valued their rights more highly, than the right hon. gentleman was aware. They enjoyed their own religion, differing from that of the Church of England; and they were too liberal, as a body, to deny to another country, rights similar to those which they themselves possessed. On this ground, he thought that it was an attempt to terrify the ministers, by holding out to them the dread of popular feeling in this country and in Scotland. He had no doubt it would turn out, notwithstanding the call made from the other House, and the cry raised elsewhere of "Englishmen, stand to your guns, and be ready for action," that every hour would convince his majesty's government that they had taken the proper step. Every hour would satisfy them, that they had acted the part of an honourable and independent government, when being convinced that circumstances called for a change of sentiment, they manfully avowed that change, and openly called upon the legislature to support them; and it was highly to the credit of that House to have been ready at the call. He longed to see the small minority which would be against the united wishes of the country. The clergy, it was true, might oppose it, from an apprehension of its affecting their interests; but even amongst that body many changes to the liberal side of the question had recently taken place; and he had no doubt that a number of those who were now hostile to the claims of the Catholics, would soon join the ranks of their advocates, and show themselves anxious for an extension of civil rights. Had there not

been, within the last eight and forty hours, a most unanswerable proof from Cambridge of the progress of liberal opinions.—It was a proof that it was only necessary for ministers to set the example, to make it be universally followed. He was aware that there existed a difference between the two Universities upon this point, and that Oxford had always been less liberal than Cambridge; but if ministers had come down to the House and said they meant to allow of no change in favour of the Catholics, he believed that even Cambridge would hardly have been found so liberal as to decline petitioning against them. Looking at this bill merely as a preliminary measure, he would not oppose it, but he hoped he should never again be called upon to sanction a similar measure.

Mr. *Leslie Foster* denied that he had stated the people of Scotland to be opposed to the claims of the Roman Catholics; on the contrary, he had represented them as not unfavourable to those claims. But he did take a distinction, which he supposed the hon. member for Aberdeen was not able to understand;—namely, that the Scotch people, though not unfavourable to the claims of the Roman Catholics, would oppose the establishment of the Roman Catholic religion as the religion of the State. He now repeated this assertion. He maintained that the objection to the Roman Catholic religion was not a prejudice peculiar to the Protestant Church, but was at least as strongly entertained by all other Protestant Dissenters, save one body, and of that sect he was ready to make the hon. member a present.

The *Chancellor of the Exchequer* said, that if the hon. member for Aberdeen had exercised his usual disposition to research, he would not have been surprised at the decision of the University of Cambridge; for he would have found, that this was not the first time it had refused to petition against further concessions to the Catholics; for that when a bill for the relief of that body was last before the House, it had come to a similar decision; and when a cry had been raised on the subject of concession, and it was urged in that House as a proof of the general feeling, that the Universities had petitioned against such concession, an hon. member had got up in his place, and indignantly repelled the statement, on the part of the University of Cambridge.

Mr. *Brougham* said, that though he could not support this bill, he felt it to be his duty, under existing circumstances, to withdraw his opposition to it. He could not vote for it on any other ground than that it was to be followed up by a measure of emancipation for the Catholics. If it were not for that consideration, he would not have allowed it to go through a single stage without meeting it with the most strenuous opposition. He objected to the bill, because it was to put down the Catholic Association. He objected to it, because it made the suppression of that Association perpetual. He objected to it, because it armed the Lord-lieutenant with unconstitutional power, and because it armed the magistracy also with power which he dreaded more than that which it vested in the hands of so responsible a magistrate as the Lord-lieutenant. He had hoped that the bill would have been free from this latter objection; because, as he had stated upon a former occasion, he thought it much better to vest power of such a description in the hands of a high officer, who exercised it upon his responsibility to parliament, than to vest it in the hands of those who exercised it almost without any responsibility at all. He quite agreed with the doctrine, that in Ireland it was a matter much to be deplored, whenever it became necessary to vest in the acting magistrates, powers which were to be merely powers of discretion; and for this reason, that that country was torn in pieces by domestic factions. He, however, looked forward with confidence to the healing operation of the great measure which was to follow this bill, and which he considered as the price, and the costly price too, which was to be paid for it. But, for a time, yes, for a year, or a year and a half, during which it was to be in operation, he was afraid that the House must make up its mind to behold the consequences of the past misgovernment of Ireland still visible, in the continuance of the factious divisions which had so long distracted the people and the magistracy. He thought that a country, where one half of the community had been so long taught that the law was not their protector but their natural enemy, and where the other half had been so long accustomed to consider it as their exclusive private property, was not the country in which we ought to invest the local magistracy with any extraordinary powers. He therefore agreed,

that the fit course was, to vest such powers, not in the ordinary local magistracy, but in the Lord-lieutenant for the time being, who was at the head of that magistracy, with full liberty to exercise them on his own responsibility, either in putting down the Catholic Association, or in refraining from putting down other Associations. As far, then, as the bill went, the Lord-lieutenant might issue his proclamation or warrant to two justices, authorising them to suppress any one assembly or meeting; and so far the principle of the bill was placed, for the purposes of its administration, in the best hands, and in those in which it could be most safely lodged. But, unfortunately the bill—and he said this not so much in the spirit of opposition to it, as in the hope that his suggestion might lead the House to avoid any departure from its principle—unfortunately the bill went much further. Two justices of the peace were selected by the Lord-lieutenant, and were intrusted with the execution of his warrant. They were bound to enforce it to the utmost of their power, and to prohibit all associations and assemblies which it denounced as illegal. So far all was well; but then the bill provided, that after the Lord-lieutenant had armed with power two magistrates whom he had selected,—and he did not blame the framers of the bill for giving the Lord-lieutenant authority to make such selection, for the Lord-lieutenant could not be every where, and his responsibility to parliament would force him to select trustworthy persons,—it should be lawful for the same two magistrates, or for any two justices of the peace who might happen to be present, to proceed to apprehend and bring before them all persons who should refuse to depart, after the first two magistrates had declared the assembly to be illegal. Nay, more, it was made lawful for any two magistrates, within whose jurisdiction such illegal assembly should be held, to issue their warrants against such offenders, to proceed against them summarily, to convict them, either on the view of one magistrate so present, or on the oath of one or more credible witness or witnesses, and to sentence them to an imprisonment of three calendar months for a first offence, and to an imprisonment of twelve calendar months for a second or any subsequent offence, without any right of appeal whatever. What signified, then, the responsibility of the Lord-lieutenant,

if any two magistrates who happened to be present, no matter how factious or partial they might be, could bring before them, and convict, on the view of any one of them, any person, without appeal, whom they might choose to suppose had attended an illegal meeting, put down, not by themselves, but by the two magistrates selected by the Lord-lieutenant? Suppose, for instance, that a Catholic justice should be present when an Orange Association, or a Brunswick Club, was put down as illegal by the two magistrates selected by the Lord-lieutenant; and suppose that he should have a desire to harass and oppress any individual, who, for some reason or another, had become obnoxious to him—all he had to do was, to have that individual brought before himself and another magistrate; and then he could say, in spite of all the other individual's asseverations to the contrary, "I saw you attend at such a meeting; don't contradict me. I saw you there; I convict you on my own view; and you shall go to prison for three months, if it is your first offence, and for twelve months, if it is your second; and you shall have no appeal against my conviction." He had put the case as of a Catholic justice against an Orange associator; for the Catholic Association was at the moment at which he had the honour of addressing them, dissolved; and therefore the case of an Orange justice against a Catholic associator could not occur. But other cases of a similar description might occur; and he was bound to see that the constitution was not violated with respect to other associations. He had put the case, he repeated, of two Catholic justices, acting either on their own view or on the information of some other Catholic, prejudiced against the Brunswick or Orange clubs, led away by a zeal which he could not control, and swearing that he had seen the Brunswicker attending a meeting at which he had never been present. A conviction in such a case must pass against the Brunswicker; and when once passed, as it was without appeal, it could not be removed. Now this was a proceeding to which he should be loth to give his consent; and he said this the more readily, as he thought that it might be altered, without departing from the principle of the bill. He was now arguing on the idea that the measure was to be made effectual; for if it were passed at all, no

doubt it ought to be made effectual. He lamented exceedingly that it must be passed: he denied that there was any necessity for passing it, before the measure which they had been assured should follow it. That measure should have been passed first, and then the present measure would have been rendered unnecessary. But, as his noble friend, the member for Bedfordshire, had observed on a former occasion, in practical politics we must sometimes bend to considerations of necessity and expediency:—we cannot pursue our own views as we could wish, and we must therefore be content with accomplishing them as far as we can. He must consider this first measure as the price of the greater measure which was to follow it; and, considering it as such, he would say, "if it be necessary to be passed, let it be passed in such a way as is least likely to increase the evils which the measure that is to follow it is intended to put down." He had now stated the grounds which had induced him to give his assent, though very reluctantly, to the present bill; and they were simply and exclusively these—that he had reason to suppose that it would be impossible to carry the other bill without first carrying this. In conclusion, he would merely observe, that he had no doubt not only that the Catholic Association was at that moment dissolved—not only that it would not be attempted to be revived—not only that they were employed in legislating against the mere shadow of a name—not only that the other great measure, which he trusted was to follow this as quickly as possible, and would be carried as securely, would have the effect of preventing the Catholics from desiring to renew the proceedings against which this bill was directed, and which the legislature had now been endeavouring for the last five-and-twenty years in vain to put down—but that it would also prove the commencement of a conciliatory system of government in Ireland, which, in a few years, would make it the astonishment of them all that they had so long remained in doubt and difficulty upon a question, which, after all, was found so easy to settle.

Mr. Secretary *Peel* trusted that the House would allow him to say a few words in answer to the observations which the hon. and learned gentleman had made upon the supposed authority which this

bill gave to the magistrates of Ireland in general. The object of the clause with which the hon. and learned gentleman found fault was, to render the bill effectual, as it was admitted it ought to be rendered, if it was passed at all, and not to place the liberty of the subject under the risk of abuse from any of the local magistracy. He apprehended that, under this bill, no magistrate would have power to interfere with any assembly until the Lord-lieutenant had pronounced it illegal. He apprehended further, that no magistrate, even after the Lord-lieutenant had pronounced it illegal, would have power to direct its dispersion, until he received express authority to that effect from his lordship. The only magistrates who had power to demand admission into any place where there was reason to believe that an unlawful association or assembly was held, were two magistrates selected by the Lord-lieutenant, and specially appointed by him to disperse it. Now, if it were possible to provide, that those two magistrates should have jurisdiction within every part of Ireland, or that they should be present in every part of Ireland, at one and the same time, that would be enough: but, suppose that the parties who refused to depart from the meeting which the two magistrates ordered to disperse should escape from the place in which it was held, how were they to deal with such offenders? It was easy to say, that only those two magistrates should take cognizance of the offence so committed; but those two magistrates might be engaged in other duties at a distance from the spot where such offenders were apprehended, and thus it would be necessary to keep them in custody until those magistrates were once more at leisure to examine them. The reason for granting to the magistrates a power of summary conviction was, to prevent delay in the operation of the bill, and to give it that energy and efficacy which was so material to its success.—The right hon. gentleman then proceeded to defend the power of summary conviction given to two magistrates. If the hon. and learned gentleman could provide any means of appeal from this summary conviction, without destroying the efficacy of the bill, he should be most happy to attend to his suggestions. He would call the attention of the hon. and learned gentleman to the vast difference which existed between the penalties of the pre-

sent bill and those of the bill passed in 1819, for the suppression of these associations. By the bill which was passed at that time, the magistrates had power to suppress any assembly which was sworn on oath to be dangerous. If the parties attending such meetings, after hearing their order to disperse, refused to depart, their offence was declared felony, which rendered it impossible for them to be admitted to bail, and their punishment amounted to nothing less than transportation for seven years. It appeared to him that a less punishment would meet the object which he had in view, on the present occasion. He had therefore reduced the punishment from transportation for seven years, to imprisonment for three months; and, as no bail could be given for the felony under the old act, he did not see any objection to making the conviction summary under the present. He was sure the hon. and learned gentleman would, upon consideration, see that there were sound reasons why he should not confine the jurisdiction to the two magistrates whom the Lord-lieutenant might select to put down illegal meetings.

Mr. Brougham called the attention of the right hon. gentleman to the words of the clause to which he objected. The clause stated, that if the persons assembled at one of these illegal meetings should not disperse within a quarter of an hour from the time of the notice given to that effect by the two magistrates selected by the Lord-lieutenant, "it should be lawful for the same magistrates, or for any two justices of the peace then present," to cause such persons so refusing to depart, to be apprehended; and such persons so apprehended might be proceeded against in a summary way for such offence, before any two justices of the peace before whom they might be brought, and were, when convicted thereof, to be imprisoned for three or twelve calendar months as the case might be. Now it was clear, from this clause, that any two magistrates might convict an individual for an offence against its provisions, and that, too, without appeal. He admitted that the considerations which he had just urged ought rather to be reserved for the discussion on the bill in the committee, than to be made on the second reading of it; but his anxiety to render it effectual must be taken as his excuse for mentioning the subject now.

The bill was then read a second time.

HOUSE OF LORDS.

Friday February 13.

ROMAN CATHOLIC CLAIMS—PETITIONS FOR AND AGAINST.] The Bishop of *Bristol* presented a petition from the Clergy of his diocese against the Catholic Claims. The petitioners stated, that their opposition to concession to their Roman Catholic fellow-subjects was founded on an anxious wish to maintain the integrity of the Protestant institutions of the country; which integrity, they humbly conceived, would be endangered by the admission to political power of those professing the tenets of the Church of Rome. They considered that the spiritual welfare of their children and their flocks was involved in the maintenance of the existing establishments of this Protestant state; and they implored their lordships to pause and examine, whether the character, as revealed in the history of every age, of the Church of Rome was compatible with the security of those establishments. They considered them essential to the welfare of the state; and, in strong but temperate language, gave expression to those feelings which the apprehension of danger naturally engendered. With those sentiments he begged leave, as the bishop of the diocese whence the petition came, to say he entirely concurred. At the same time he would not venture to express an opinion on the intended measure of concession until it was substantively before their lordships.

The Earl of *Westmoreland* rose to present a petition from Northampton, signed by four hundred persons of the highest respectability. Their prayer was against any further concessions to the Roman Catholics, their object being to secure as completely as possible, the integrity and safety of the Protestant establishment in church and state. Now, he thought that he fully acted up to the principle on which the petitioners went, in deviating a little, in the present state and temper of the public, from the advice which they gave him. The petitioners had in view the preservation of the Protestant establishment, and sought to prevent the growth and increase of Popish power. For his own part, he thought that the present divisions amongst the Protestants were infinitely more dangerous to the Pro-

testant interest than the direct attacks of the Roman Catholics. He wished for a temperate consideration of the question, and for a fair inquiry into the state of Ireland. The great danger which he apprehended was the increase of Catholic power, and therefore it was that he was not averse from a review of the laws relating to them, in the hope that such an arrangement might be made as would lead to the cordial union of Protestants in defence of our admirable establishments in church and state. It was more from noble lords opposite, and from the difficulties which arose in carrying any great measure for the improvement of Ireland that he apprehended danger, than from the mere review of the laws affecting the Roman Catholics. Such were the divisions which that unfortunate question created amongst Protestants, that his majesty's servants were actually unable to exercise the power of the state, divided as they were upon that question. The Protestants were divided amongst themselves, and disunion brought its natural concomitant weakness. An end to such a state of things he desired to see; and if any measure could be devised consistently with the safety of the church, which should tend to the union of public men, he could not but regard it as calculated, in its effects, to curb the power of the Catholics. He thought it possible to alter, without diminishing, the power of the Protestants; and he trusted it would be found that a measure could be framed calculated at once to allay clamour and impart security. His own sentiments on the Catholic question were unchanged, but, at the same time, he admitted that the state of things in Ireland, inclined him to reconsider the question with a view to its final settlement. Mr. Peel had well observed that concession to the Roman Catholics would be most injurious, unless accompanied by the acquiescence of the people of England, founded upon deliberate conviction. He, therefore, thought it would be unfair towards his majesty's government not to wait and see what they intended to propose before a decided opinion was pronounced.

The Duke of *Newcastle*, on presenting several petitions of a similar description, said, he had received information from all parts of the country that went to corroborate his declaration of a former evening, that the Protestant feeling of the empire was

hostile to the Catholic claims. He therefore hoped that the noble duke at the head of the Government would be convinced of the impolicy of his intended measures. He trusted the noble duke—who, he could not help saying, had a habit that way—would turn over again to his former opinions. There was an old saying that one good turn deserved another, and no turn that the noble duke could take would afford him more unmingled pleasure, than his returning to his former opposition to the Catholic Claims.

The Earl of Winchilsea said:—I rise, my lords, pursuant to the notice I gave, to present a petition, most numerous and respectably signed by a great body of the freeholders of Kent, praying that your lordships will preserve inviolate in all its integrity the Protestant constitution of these realms; but, in justice to my own feelings, not less than to the character of the highly respectable body who have intrusted their petition to me, I cannot content myself without offering a few brief observations connected with the deep importance of the subject of that petition—a subject which engrosses the attention of the empire at large, and on which, I am resolved to add, the people have of late so unequivocally displayed a decided and highly constitutional feeling, not only in Kent and Devonshire, but in other parts of the country;—a feeling which, I am convinced in my own mind, will soon be found in every quarter of this island. In drawing the attention of your lordships to the prayer of this petition, which was carried by so large and so triumphant a majority at a county meeting on Penenden Heath, it was not my intention to occupy your lordships' time one moment longer than may be necessary, while I use my endeavours to assert the loyalty, the sound principles of liberty, and the attachment to our Protestant constitution, which characterised the thousands who were there assembled to give a public expression of their political sentiments, on a question which they rightly considered as involving the existence even of their long-cherished liberties, and to resist, by the exercise of one of their most ancient and constitutional privileges, the attempts now carrying on to subvert our Protestant constitution, and erect on its ruins that love of slavery and arbitrary power which has invariably resulted from the political principles disseminated by the

dupes or agents of the church of Rome, in order to extend the papal influence—an influence of a dangerous and fatal character—an influence which has for some years been daily increasing in Ireland, and which, as it now exists, together with the various links of ecclesiastical discipline, it has been proved by an eloquent and powerful speaker, constitutes a close and formidable combination, which is capable of forwarding the views of any foreign and hostile power, has been proved to be an organized system of thousands, actuated by one common object, and governed by the same will, which will, there is no individual within the walls of this House, who has been a common observer of the political events which have taken place in that unhappy country during the last few months, but must have the honesty and candour to confess, is not the will of the state, nor its object or aim the welfare or interest of Great Britain. Far different from such a spirit of daring combination, on the one hand, and of mental degradation, on the other, was that independence of mind and well-regulated love of civil and religious liberty, which marked and characterized the sentiments and feelings of those patriotic individuals and classes of society in this country, who excluded the followers of the arbitrary and despotic church of Rome from political power within this state, and had the firmness to establish our present inestimable constitution—of their immediate successors, who by their firm and undeviating adherence to those well-tried principles of liberty and good government preserved unimpaired the blessings of that constitution, for which their ancestors had so nobly struggled; and, my lords, I trust I may still hope, nay I had rather assert it as my heartfelt conviction, that far different from such a spirit of mean and abject submission, to the usurped power of a host of spiritual despots and a forced submission to the tyrannical and oppressive measures of their organ of intimidation, the Roman Catholic Association, is the spirit which now animates the friends and advocates of our Protestant constitution, from one end of the kingdom to the other; a spirit which is not only felt, but is manifesting itself daily more and more throughout the empire, and which, to be displayed in a manner that would at once confound and dishearten the clamorous agitator of Ireland, and the treasonable agents of the church of Rome, need only

be roused and called into action, by a fair, honest, and open appeal to the freeholders of this free and enlightened Protestant country; an appeal which, if immediately made through the constitutional means of county meetings, or a dissolution of parliament, the advocates of Popery well know they would have too much reason to apprehend, conscious as *they* are that such an appeal to the Protestant feeling of the middling classes, and the long cherished liberties of Englishmen, would be a death-blow to their daring plots and machinations, to their gross misrepresentations of truth and faith, to their daring projects of power and ambition, and to their insidious attacks against the integrity of that constitution, which it is the prayer of this petition your lordships should defend, and hand down unimpaired to posterity. I cannot conclude the few remarks I have humbly offered to your lordships, without requesting a few moments more of your attention, while I submit some remarks in vindication of the proceedings of that part of the Protestant community who, roused by the dangers of the times, and actuated by their attachment to our Protestant constitution, were compelled by the violence of one party and the apathy and treachery of the other to array themselves under the banners of the constitution, and declare themselves the firm and uncompromising assertors of its principles. The Protestants of Ireland were not induced to stand forward to declare their attachment to that constitution which they know is the foundation of whatever civil and religious liberty they enjoy, until they had looked in vain for redress and protection to the constituted authorities against the long-endured oppression and violence of the Roman Catholic Association; nor until they had been told even by a minister of the Crown that all the ties of society were broken and rent asunder; that the predominance of authority was lost, the impartiality of the courts of justice impaired, and that the institutions of the country were undergoing a revolution, which threatened with one common destruction every establishment, civil, political and religious, did the Protestants in Ireland come forward boldly, to meet and resist the spirit of rebellion which stalked over their ill-fated country. Such were the circumstances under which the Protestants of Ireland were compelled to stand forward for their own interests, defence and protection; and in no one instance have

they in the slightest degree gone beyond that object. I repeat it, my lords, the Protestants of Ireland can, in no one instance, be charged with having outstepped the respect due to the laws of their country, which, I trust in God, they will always have the pride and honour to maintain. They were compelled, I say, to unite in their defence by the pressure, too long borne, of the aggregate evils of the continued and unceasing oppression and violence of their enemies, which they were forced to suffer under the false and mistaken system of conciliation. At last they were obliged to stand forward and endeavour to avert the pending danger, which, as I said, menaced to destroy in one common ruin, every thing that was dear to them—their lives, their property, and, what was above all, their liberties.—Such were the circumstances, my lords, which induced the Protestants of Ireland to stand forward in their own defence; and such will be the circumstances which will call on the whole Protestant population of England to stand forward and unite in defence of that constitution which has been so long the admiration and envy of the world, and which has raised this country to the highest pitch of earthly grandeur, and given us the possession of liberties which no country since the foundation of the world has enjoyed. But now this constitution is to be sacrificed to those who, daring enough to trample on the laws of God and their country, have set at defiance all the constituted authorities, or, (who—if they have not done so, let those who vindicate them deny it)—have at least transgressed every feeling of respect which should be observed towards those who filled the employments of government. It is to be sacrificed by men, too many of whom have, by professions of attachment to it, gained the confidence of the great body of Protestants, and who are by that very confidence now placed in the situations which enable them to make this sacrifice; by men, too, who deserted a statesman whose political character I certainly did not respect, but who will always bear a distinguished name in the history of this country, because some of them stated that it was not consistent with their principles to belong to a government favourable to concessions to the Roman Catholics. There are individuals in this House who attributed the shortness of that eminent statesman's life to the mortification which he experienced by the desertion of his

former political friends. If they wish to gratify any revengeful spirit they now have it in the mortified feelings of those very men who are now following his steps. Strongly as I feel, I find it wholly impossible adequately to express the sense of those who have constitutionally a voice in altering the existing institutions of the country. But I do entreat the noble duke at the head of his majesty's government, as he values the high character he earned in the defence of his country, not for a moment to endanger his own reputation, nor the honour, character, and security of the Crown, by advising it to give its assent to a measure which I do say, if it should be carried now, is against the expressed feelings of the country. Many of the members now in the other House were returned to represent places on the ground of their attachment to those principles of the constitution which all parties up to a certain period agreed in upholding. These members, by abandoning the principles which they pretend still to maintain, have, in fact, ceased to be the representatives of their constituents; and the franchise should be given back to the people, in order that they may decide this question; for I boldly state, that the voice of the people is against it; and though I am a staunch friend to all parts of the constitution, and especially to the Crown and this noble House, I never will suffer the rights of the people to be despised or trampled upon. I say again, my lords, that the voice of the people is not for the Roman Catholic Claims, and that, if the people are appealed to, they will shew it is not. I will further say, that if the bill pass through both Houses, and an appeal be not made to the country by a dissolution of parliament, before the royal assent be given to it, it will be clear that its friends know the voice of the people is against it. I will also explicitly declare, that if the people of Great Britain, by their representatives, returned after a general election, should agree to this change taking place in the constitution, however strong my feelings against it, and however I may still retain my opinion that fatal consequences must ensue from it, I shall submit—for I bear no personal hostility to any member of the Church of Rome; for with many of them I am on terms of the strictest intimacy and friendship, and I believe they entertain as much respect for me as for many of those who advocate their claims,

because they know that I am sincere in my belief, that their religious professions, opinions, and principles, are inconsistent with the existence of our Protestant constitution. I will honestly say, that if I were a Roman Catholic, I should entertain the same feelings; and if I had political power once in my hands, I should never be content until I saw the Roman Catholic Church restored to the full elevation and dignity of the station from which we Protestants overthrew it. Such being my feelings, it is no wonder I should occasionally express myself warmly; but I am desirous always to speak with earnest respect of every man's opinion, if it be consistently and conscientiously entertained. But I do implore your lordships, before you agree to any such proposition as may essentially change the principles of the constitution, with regard to the admission of the Roman Catholics to political power, to consider well what you have before you, and to examine with scrupulous care the bill that may be introduced for that purpose. I remember that, formerly, when I have reproached the freeholders of Kent, at the county elections, with not taking part in these questions, and have said, "Why are you neutral in your sentiments on this great political question?" The answer was, "Because we confide in the Upper House, and in the professions we have received from our representatives, of their agreement in those principles in which we all concur." I confess, for my own part, that after what I have heard, all political confidence is shaken in my mind. But if my opinions be against the express feeling of those who have a constitutional voice, I will bow to it;—for never will I belong to any factious or frivolous opposition. I will not, however strong my feelings may be, do any thing to agitate or excite the public mind; but I do feel that this question is essentially important to the interests of the country, and that its future consequences will be of a most dangerous and fatal character. Whatever may be the views of your lordships, and however severe may be the animadversions on my conduct, I will appeal with confidence to the judgment of those who have a constitutional voice in the country. The letter of mine, to which reference was made last night, is not, perhaps, so clear as it might be; for I have no intention to apply my observations to those who have consistently advocated the removal of all civil disabilities from the

Roman Catholics. They are men whom I respect and honour; but, as I stated before, my political confidence is for ever gone, since I have seen the defenders of the Protestant ascendancy desert their principles. I will even go further, and say, I think the ties of private friendship are broken by such conduct: for the man whose public character I cannot respect, because he is not found to be firm and consistent, can never be entitled to my friendship or esteem. My lords, we have now been taught this great moral truth—that no confidence or reliance can be placed in the professions or principles of public life, from the highest station in the empire to the lowest, from the Crown downwards, unless that confidence has been based on a just estimate and knowledge of the virtuous, moral, and religious principles which have graced and adorned the private life from the Crown downwards. I shall now, my lords, lay before your lordships the petition which I have the honour to present; and, I beg to say, that if I have at any time, in the heat of debate, expressed myself too strongly with regard to any individual, either within these walls or without, if he acts with conscience and principle, I am sorry to have given him offence.

The Marquis of *Clanricarde* said, it had not been his intention to have trespassed on their lordships, but he wished to offer a few words, in allusion to two points adverted to by the noble earl, who had just sat down. In the first place, as a Protestant of Ireland, he wished it to be understood, that the sentiments ascribed to the Irish Protestants, by the noble earl, were not universal. He had affixed his name to two documents, most respectably signed by Protestants, in favour of what was called, in common parlance, Catholic Emancipation. Those documents bore the signatures of many Protestants, possessed of large landed property. He admitted, however, that a considerable number of the Irish Protestants were what was called anti-Catholic. He could assure their lordships, however, from experience, that the Protestants of Ireland—those who, like himself, resided there—were not secure or comfortable; that, in fact, they were driven to absenteeism by the state of the country. The noble earl had spoken in terms of reproach of the meetings held by the Catholics, but he had not spoken in the same terms of the meetings held by the

Protestants. Any observation condemnatory of public meetings, came ill from the noble earl, when presenting a petition from the meeting held at Penenden-heath. There was another point to which the noble earl had alluded, of a more delicate nature: he meant the opinions of a right hon. relative of his, now no more, on the Catholic question, and the opposition offered to him on that ground. He had no other feeling, he could assure their lordships, than that of gratification, at the announcement in his majesty's Speech. He had heard the recommendation of his majesty to settle the Catholic question, with unmixed satisfaction, enhanced by the recollection, that it was in accordance with the feelings of the distinguished individual who had been alluded to, and that the principles which he had advocated were shewn in this, as well as in many other instances, to be consistent with the welfare and happiness of the country. So far from feeling any sensation of an unpleasant nature, he was the more gratified by seeing noble and right honourable persons, who were formerly the colleagues of the distinguished individual referred to, now coming forward in a straight-forward manner, and expressing their conviction of the necessity of what they had formerly opposed. He would only repeat the gratification he felt at the decision which had now been come to by his majesty's government—a decision which, he believed, would have the effect of giving to Ireland what she had never before enjoyed—tranquillity and security.

The Earl of *Darnley* said, that, in the peculiar position in which he was placed, he had intruded himself on their lordships' attention, because he conceived it was better that they should have the two petitions from the county of Kent together. It was not his intention to detract from the importance of the meeting at Penenden-heath, nor was it his intention to anticipate the discussion on the general question of the Catholic claims. He gave the noble earl credit for the perfect sincerity of his opinions, but he wished to correct some of the noble earl's statements as to facts. The noble earl had lately exhibited an extraordinary degree of fervour and animation on this question. He always gave the noble earl credit for being a bigoted Protestant in the sense of wishing to exclude the Roman Catholics from those benefits which he himself enjoyed; but his noble friend had kept within bounds

until the last summer, when his sentiments took an extraordinary flight. The inhabitants of the county of Kent, though, like the inhabitants of every other county, differing in political sentiments, were distinguished for not allowing any difference of political feelings to interfere with good neighbourhood, until the noble earl thought proper to establish a Brunswick club in it. A new light appeared to have broken in upon the noble earl, after the publication of the noble duke's (Newcastle) letter. He by no means agreed with the noble earl in the sweeping condemnation thrown out by him against the Catholics of Ireland. Although many of the acts of the Catholic Association could not be justified, much should be allowed for the feelings of the Catholics, composing, as they did, the great majority of the people of Ireland. Whatever proceedings had taken place in that Association, proceedings quite as intemperate, and by no means so justifiable, had taken place at meetings of Protestants. The Brunswick clubs, in his opinion, were quite as unconstitutional as the Catholic Association, and not called for by the same reasons. If those clubs had extended over the country, and had not been limited in their operation, their effect must have been to have controlled the operations of government. He was ready to admit, that the meeting at Penenden-heath, in October last, was attended by many of the most respectable people in the county of Kent; but it was also well known, that it was attended by many of the lower classes. It was notorious, that many hired labourers and brewers' men were there, though he did not take upon himself to say, that they were sent there by the noble earl. They had placards, however, and were so well organized, that they would hear the noble earl, though they would not hear him (the earl of Darnley) and others who spoke on his side. That meeting, therefore, did not afford a fair criterion, as to the opinion of the freeholders of Kent, on this question; for, in point of fact, the question had never been fairly put to them. He did not deny that the majority might have been with the noble earl; but he denied that it had been as six to one, or that it had been any thing more than an inconsiderable majority. If the county of Kent were now polled, he had no doubt that the majority would be adverse to the sentiments advocated by the noble earl; for the meeting had given birth to a spirit of

inquiry, and in the county of Kent, as well as throughout England, many converts had lately been made to what he would call the good cause, because he considered it the cause of reason and liberty. In spite of the zealous efforts of the noble earl (Winchelsea), aided by the Letter of the noble duke, (Newcastle), the good sense of the people enabled them to see this question in its real light. The noble earl had been extremely severe on those who had changed their opinions on the Catholic question. In this he could not agree with him. Though his own opinions had never varied on this question, he could find many excuses for those who had changed their opinions, and he thought the avowal of that change reflected the highest honour on those by whom it was made. The worst description of fear was that which induced men to adhere to what they considered wrong, for the sake of consistency. He could not conclude without congratulating the noble duke at the head of the government, and the country at large, on the prospect now before it. He conceived that the proposed measure was calculated, beyond all others, to preserve the Protestant constitution. The petition he was about to present, expressed the conviction of the petitioners, of the necessity of preserving that constitution; but they differed with those whose opinions the noble earl represented, as to the means. It had been said, that the proposed concessions would throw a dangerous power into the hands of the Roman Catholics; but he wished to ask, whether there was no dangerous power residing in the Roman Catholics now, in consequence of those disabilities? Was there no danger in the forty-shilling freeholders of Ireland? He could not imagine any danger from the admission of Roman Catholics to the participation of civil rights; but there was tremendous danger in leaving things in their present situation. The petition he was now about to present, was signed by nearly two thousand freeholders of Kent. There were only the names of ten or twelve persons affixed to it who were not freeholders, and those were respectable inhabitants of Canterbury. The petitioners expressed their opinion, that the general interest of the state would be best consulted by a free admission of all parties to civil privileges. This question, however, they were content to leave to the deliberate wisdom of parliament; and they approached the House with con-

fidence on the subject, convinced as they were that the legislature would do its duty. Such were the sentiments contained in the petition which he had thought himself entitled to read, seeing that he was the author of it [a laugh]. When, last year, the noble duke had expressed a wish to settle the Catholic question, he had never doubted that his noble friend would be able to find the means of doing so in a satisfactory manner. He knew the difficulties which the noble duke had to contend with, but he hoped and trusted that he would succeed, in spite of opposition. He trusted that a majority of their lordships, as well as of the other House of parliament, would stand by his majesty's ministers, and assist them in the accomplishment of their great work. The noble earl had urged the propriety of a dissolution of parliament, for the purpose of taking the sense of the country upon this question. It was unnecessary to say, that he disapproved of the suggestion. Besides, the noble lord could not dissolve the House of Peers, supposing it to pronounce an opinion favourable to the Roman Catholics. The House of Commons had more than once carried the question; and it was not to be supposed that, in the present state of men's minds, a dissolution would have an unfavourable effect upon it. Did the noble earl suppose, when the opinion of government should be known upon this subject, that any future House of Commons would be likely to resist the settlement of the question?

Earl Grey rose:—He said he felt that the observations which had been made by the noble earl, on presenting the Kent Anti-Catholic Petition to their lordships, called for some comments. He was aware that a great and important question, deeply affecting the vital interests of this country, which he hoped would, at an early period, be brought before their lordships in the shape of a bill to be proposed by his majesty's ministers for the relief of the Roman Catholic people of Ireland from civil and religious disabilities—he was aware that the introduction of that bill would afford the fit occasion for going into the general question; and he also felt that the present time was an improper opportunity for discussing it. He felt that by any observations which he might then offer, he rendered himself liable to the accusation of attempting to pre-judge that question; and yet, under all

the difficulties that might arise out of such a course, he found it utterly impossible for him not to express shortly what he felt on the subject. With respect to the petition presented by the noble earl, on looking upon the terms of it, he was not aware that he could, with a safe conscience, feeling as he did the great importance of the question it involved, and how necessary it was to the peace and prosperity, not merely of individuals, but of the empire at large, that there should be a satisfactory settlement of it—he was not aware that he could with propriety object to any part of it. There was not one word in that petition which, with the sentiments he had originally conceived, and still adhered to—with the sentiments on the subject of the Catholic question which he had now maintained, through good report and evil report, for a space of five-and-twenty years—there was not, he repeated, one word in that petition to which, consistently with his unaltered sentiments, he could not freely subscribe. How did the petition commence? The petitioners beg leave to express their “deep sense of the blessings they enjoy under the Protestant constitution of these kingdoms, as settled at the Revolution.” And he would tell the noble earl who presented the petition, that he entertained as deep a sense of these blessings, and was as desirous to prolong them, as the freeholders of the county of Kent, who had signed that petition. The petitioners proceeded to say—“Viewing with the deepest regret the proceedings which have for a long time been carrying on in Ireland, your petitioners feel themselves imperatively called upon to declare their strong and inviolable attachment to those Protestant principles, which have proved to be the best security for the civil and religious liberty of these kingdoms.” Now, he would not yield to the noble earl, or to the noble duke (Newcastle) on the cross-bench, or to any other individual in or out of their lordships’ House, in sincere, strong, and inviolable attachment to those “Protestant principles which have proved the best security for the civil and religious liberty of these kingdoms.” Lastly, the petitioners “humbly but earnestly pray, that the Protestant constitution of the united kingdom may be preserved entire and inviolate.” He, too, prayed that the Protestant constitution might be preserved entire and inviolate. Of that constitution

he earnestly and heartily said, *esto perpetua!* Such was his earnest and ardent prayer. And, that the Protestant constitution might be perpetual and inviolate, that a united people might be enabled to stand against all enemies whatsoever, he advocated the measure which his majesty's ministers, with a frankness, a plain-dealing, and a regard to the general interest of the state, that reflected upon them the greatest credit, had taken up, with a view to a satisfactory adjustment of the question.

He had said thus much, with a view to another argument, dwelt upon with considerable pertinacity by the noble earl. The noble earl, and another noble lord, now seated upon the cross bench, had stated, that the great majority, he believed it was said nine-tenths, of the people of England were decidedly against granting any further concessions to the Roman Catholics, as now contemplated by his majesty's ministers. Both those noble lords, not content with the assertion just alluded to, took the extraordinary, and he must add, unconstitutional course, of urging upon his majesty's ministers, in order to ascertain whether the sense of the people of England was or was not adverse to the proposed adjustment of the Catholic question, to call upon his majesty to exercise his high prerogative, by appealing to the people through a dissolution of the House of Commons. This, he must be permitted to say, was indecent and unconstitutional. It was inconsistent with the rights and privileges of the other House of parliament, for noble lords to get up in their places in that House, and arraign the House of Commons as base and degenerate, and accuse it of not representing the wishes and opinions of the people of this country;—in a word, to put it forward as ready to sacrifice that constitution, which it was its bounden duty to defend and preserve inviolate. Was it fit, or decent, or constitutional, for noble lords to hold such language in reference to the House of Commons, and to call upon the king to resort to a measure that would return the House of Commons to the people, with strong marks of his majesty's royal displeasure, which could be only called for by a disposition on the part of the Commons to act against the interests of the crown and people? This suggestion, however, he was disposed to ascribe to an ebullition of excited feeling

on the part of these noble lords, which he trusted, on more mature reflection, they would be ready to recall. The noble lord's proposition implied that the people were not represented in the House of Commons, particularly in the present House of Commons, and that they had long been, and still were, hostile to the concession of the Roman Catholic claims. Appeal to the people, indeed! Did the noble lord forget the proceedings of parliament for the last twenty-five years; or did he mean to say that an appeal to the people had not been made during that period? The question, with regard to the granting concessions to the Roman Catholics, began to be discussed in the year 1807. He (earl Grey) then supported a bill for giving partial relief to the Roman Catholics,—a relief afterwards granted by a bill passed in the year 1817, by the very persons who had formerly successfully opposed the measure when introduced by the cabinet of 1807. Thenceforward the question came to be agitated, and from this agitation—it was a strong phrase to make use of in their lordships' House—this good had resulted, that the Catholic had now ceased to be a party question. He hoped it might continue so, until finally set at rest by the wise measures of his majesty's government. To return to the administration to which he had already alluded, and of which he was himself a member,—that administration was dismissed from his majesty's service, in consequence of the introduction of the measure in question, and in consequence of its refusing to give a pledge, which its members thought to be inconsistent with the oath they had taken, to give such counsel, according to the best of their judgment, as might be most conducive to the advantage of the public and of the sovereign on the throne. In fact, the government of that day was dissolved, in consequence of its adoption of a measure since acknowledged to be pregnant with advantage to the state, and wholly unattended by any danger to the constitution. Then came the appeal to the people, which the two noble lords were now desirous to make. Parliament was dissolved. What was the result? Had the question lost ground in the minds of men? Was the appeal to the people answered in the manner in which the noble lords anticipated it would be replied to, if made at the present moment? No such thing. Immediately after this appeal

to the people, the question was brought forward, in the House of Commons, which passed a vote in its favour by a majority of 129. This was the first effect of an appeal to the people, on the subject of the Catholic claims, and a very striking result it was, noble lords must admit. Again, there was another appeal to the people, by means of a dissolution and new election, in 1812. But first, he should have observed, with reference to the former appeal to the people, after the dissolution of the ministry in 1807, that the very parliament elected under the influence of a "No Popery" cry got up for the occasion, and in the midst of the bitterest animosities between the contending parties, agreed, to a vote in favour of the Roman Catholics by an overwhelming majority of 129. He came now to another appeal to the people—that made by the election of 1812. What was the consequence of that appeal? That the new parliament decided in favour of the Catholics by a majority of 40. In 1818 there was again an appeal to the people. He could not state, that the majority this time was in favour of the Roman Catholics; in fact, he believed there was a majority against them, in this parliament, of two or four. The House of Commons being about equally divided, and all the influence of government being strongly and actively exerted against the Roman Catholics, there was a trifling majority adverse to their cause. In 1820, there was another appeal to the sense of the country, and three applications were made to the parliament then assembled, in favour of the Roman Catholics. In 1821, there was a majority of votes for a bill introduced into the Commons on the subject of Catholic Disabilities. Again, in 1822, there was a considerable majority in favour of another bill, introduced by a right hon. gentleman, now no more, whose name had been frequently adverted to, and for whose great talents no individual could have a greater degree of respect and admiration than he had. Under these circumstances, the bill for the admission of Roman Catholic peers to the upper House of parliament received the sanction of the Commons. In 1825, the Roman Catholic question was again brought forward in the House of Commons, and a majority of that House pronounced in its favour. We had a fresh appeal to the people in 1826; in that year there was another majority

for the Catholics. In 1827, undoubtedly, the majority was the other way; but it was by an exceedingly slight majority that the Roman Catholics were defeated in the House of Commons. Besides, he considered the majority clearly attributable to extraneous circumstances, and not one upon the merits of the question. In 1828, the Catholic cause was again carried in the Commons, by a majority of six.

Considering all the circumstances of the case, he thought the facts to which he had alluded strong indications of the feeling of the House of Commons on the subject. With these evidences before him, he asked, what new appeal to the people was necessary? Were not the sentiments of the nation sufficiently deducible, from the repeated decisions of different Houses of Commons in favour of the Roman Catholics? Parliament had already pronounced an opinion as to the fitness and propriety of settling the question, and he felt convinced that a new appeal to the people would, if made, be productive of results no more favourable to the opinions of the noble earl, than those now likely to arise in the existing House of Commons.

When, therefore, he came to an examination of the assertion made by the noble earl, with regard to the feelings of the majority of the English nation upon this subject, he confessed he found it utterly impossible not to arrive at a conclusion directly the reverse of that of the noble earl. He well knew that, on these and on all similar questions, judgments would be formed, not only according to the opportunities of information possessed by different individuals, but also generally in accordance with their particular views and feelings; but when he stated, as he now would do most confidently, that the majority of the English people were not in favour of the sentiments entertained by the noble earl, but of the reverse, he did so upon grounds the most conclusive, and which were open to the observation of all. He took the view which he did of the question, because, notwithstanding the two insignificant exceptions occurring in the course of a considerable period, there appeared the clearest evidences of a disposition on the part of the House of Commons to come to a decision in favour of relief to the Roman Catholics. This fact he took to be the strongest evidence of the feeling of the people at large upon the

subject. Sure he was that it was the most legitimate and constitutional way in which it was possible to collect their opinions, on that or any other point. The noble earl might, if he were so minded, deny that the House of Commons, as at present constituted, was a full and fair representation of the people, and he might, if he pleased, follow up his advice as to a dissolution, with a recommendation to ministers and the throne to effect a reform in parliament. For himself, he had all his life been a warm advocate for a reform of parliament, not on wild and extravagant principles, but upon constitutional and practical grounds;—not, he repeated, on vague and theoretical notions, and aiming at theoretical or imaginary perfection, but with a view to remedy the positive defects now existing in that body. This, however, he believed no reasonable man would attempt to deny—namely, that the House of Commons, as at present constituted, was such a representation of the people as might fairly be relied on, as far as regarded the state of public opinion. The influence of public opinion was so strong in that body, with all its defects—and they were neither few nor trifling—that, seeing as he did, that the House of Commons had almost uniformly adopted one course on the subject of the Catholics—a subject, be it recollected, calculated above all others greatly to agitate the feelings and prejudices of the people—he looked upon such an indication as containing in itself the strongest and most incontrovertible evidence, that the current of public opinion had set in upon the side of liberality and justice.

Having said thus much, he did not know that it was necessary to say more as to the question of public opinion; but he knew that when county meetings were held for the discussion of particular objects, it was sometimes difficult to discover on which side the weight of popular sentiment preponderated. The deduction as to the real opinions of the people, founded upon such data as were generally afforded by the transactions of those assemblies, might not always be correct. A great number of petitions had been presented from various places on this subject, but only two counties had met and expressed their sentiments in relation to it. The noble earl adverted, with evident satisfaction, to what he appeared to consider the triumphant result of the meeting at Penenden-heath;

and assumed that the majority was vastly in favour of his side of the question. Now, from all the accounts that had reached him, and according to every thing he could hear, and what he considered most deserving of attention on the subject, he believed that the majority of real freeholders was anti-Catholic, but that it was at most an extremely narrow majority. This majority, however, was swelled in importance and appearance by a multitude of labouring persons and others, below the class of freeholders, brought in to overawe the liberal party, and increase the number of their opponents on a division. He believed that the same observations held good with respect to Devonshire, the only other county in which there had been a meeting on this subject; and he had as little doubt that the great majority of the wealth, property, and intelligence of the country were decidedly favourable to the Catholics. With regard to Devonshire, he asserted, from positive information derived from the most trustworthy and authentic sources, that undue and unjustifiable means were resorted to, to procure a colourable majority against the Roman Catholics, and with this view persons were introduced who not only swelled the numbers of the anti-Catholics, but whose physical force was made use of to prevent all discussion unfavourable to the views of those by whom they were employed. To effect this object fishermen and others were brought from different places on the coast, and many of the persons so congregated, he regretted to say, were marshalled and urged on by individuals, whose character, as teachers of our holy religion, should have induced them to refrain from conduct so unbecoming. Signals of approbation and disapprobation were also resorted to, as occasion required, to forward the views of the party. And this was one of the counties in which a noble viscount on the cross bench had pledged himself that the popular sentiment was hostile to the Catholics! The noble earl had this night declared, that he was the last man that would endeavour to agitate the country on the present question. What! was this really so? Had he mistaken the noble earl all this time? Was the letter signed, "Winchelsea and Nottingham," which had appeared in all the newspapers, intended to prevent instead of exciting agitation? Was it, indeed, of a different character from what one would

at first sight, have thought? In that address the noble earl called upon the Protestants of the empire to come forward in a very decided way: from the response that would be made to it, which he imagined would be somewhat different from the reply that the noble earl anticipated, might be collected the opinions of the people, of which the noble lord could then, perhaps, judge with more certainty than at present. He trusted and believed that no such answer as the noble earl hoped for would be returned to that address. Indeed, he saw no disposition on the part of the people, as a body, to oppose the great measure about to be brought forward by his majesty's ministers. He trusted—sincerely trusted—there would be no agitation, and that no party feeling would be able to get the better of the calm good sense and inoderation of the people of England; but that a measure would prevail, which, if carried by the legislature, the noble earl himself had expressed his intention to acquiesce in. Of that measure he should say, that it would not be carried into effect six months, before men would be holding up their hands in wonder at the apprehensions which they had entertained with regard to it. He had spoken of Devon and Kent; with respect to another county, Cornwall, that had been alluded to, he could say with considerable confidence, from some circumstances that had come to his knowledge, that neither in that county was there any reason to suppose that the people, if left to their own good sense and discretion, would express any strong or general opinion against the Roman Catholics. It should be remembered, that one of the members for Cornwall, returned at the last election for that county (Mr. Pendarvis) was a man of most liberal political opinions; even an advocate of parliamentary reform and an emancipator. Yet this gentleman was chosen by a great majority, in spite of the exertions of the opposite party. In the particular instances which the noble lord had selected, it might be difficult to find direct proofs of the incorrectness of his opinion, yet even here it was apparent, that the sense of the population was any thing rather than unanimously hostile to the Catholics. He sincerely believed that the opinion of the people of England would be favourable to the measure about to be proposed by ministers, who would, no doubt, be sup-

ported by the House of Commons, as he trusted they would be by their lordships, and as they certainly should be by him, in this their great and glorious, but only too tardy, work of benevolence and justice.

It was enough for him to have replied to the noble earl, as to the sentiments of all England on this important subject; he had no business to take charge of ministers, with a view to protect them in the task they had undertaken: and, truth to say, an easier task they could not have undertaken, or one more likely to conduce to the general advantage. It was a task equally easy for ministers to defend themselves—if defence were necessary—for adopting their present course. The measures for which they had been arraigned by their opponents were the best proof of the wisdom and honesty of their intentions, and of the soundness of their attachment to the constitution. The noble earl had asked, what new circumstances had arisen to induce ministers to act as they were about to act. Now, he, on his part, would ask, on what side did not new circumstances present themselves to all except to those whose minds were closed against the lessons of experience—every circumstance proving, in a manner the most incontrovertible, that things could not remain as they were, and that dangers of the most alarming description must daily arise, if not checked by timely preventives. "What circumstances had arisen!" Was a divided administration—an evil that had been stated so strongly in another place, that it was quite unnecessary to attempt to enforce it by new arguments—was this great evil not worth taking into account, in the enumeration of the difficulties with which government had to contend? This was an evil of a very serious nature, and which had not only been frequently explained in the course of the debates in that House, but which was dwelt upon in a letter which he had written in conjunction with a noble friend (lord Grenville) whose absence he exceedingly regretted, and whose statesman-like views and political sagacity did not stand in need of his commendation. Early in 1812, a proposal was made to them (lords Grey and Grenville) to take part in an administration with individuals in whose political sentiments they could not concur, and on that ground they felt themselves bound to decline the proposal. At the time alluded to they received a communication from a royal and illustrious duke (the duke of York),

whose name he could never mention without expressing the respect that he had always felt for his royal highness's character, although the political opinions of that illustrious person were very different from those which he had always entertained. His royal highness had communicated to them (lords Grey and Grenville) a letter which he had received from the prince regent, on the subject of the formation of an administration, in which it was proposed that they should have a share. He would read to their lordships an extract from the answer returned by his noble friend and himself to his royal highness's communication:—

“ Feb. 15, 1812.

“ Sir,—We beg leave most humbly to express to your Royal Highness our dutiful acknowledgments for the gracious and condescending manner in which you have had the goodness to communicate to us the Letter of his Royal Highness the Prince Regent, on the subject of the arrangements to be now made for the future administration of the public affairs; and we take the liberty of availing ourselves of your gracious permission to address to your Royal Highness in this form what has occurred to us in consequence of that communication.

“ The Prince Regent, after expressing to your Royal Highness in that letter his sentiments on various public matters, has, in the concluding paragraph, condescended to intimate his wish that ‘ some of those persons with whom ‘ the early habits of his public life were formed ‘ would strengthen his Royal Highness's hands, ‘ and constitute a part of his Government;’ and his Royal Highness is pleased to add, ‘ that with such support, aided by a vigorous ‘ and united administration, formed on the most ‘ liberal basis, he would look with additional ‘ confidence to a prosperous issue of the most ‘ arduous contest in which Great Britain has ‘ ever been engaged.’

“ On the other parts of his Royal Highness's letter we do not presume to offer any observations; but on the concluding paragraph, in so far as we may venture to suppose ourselves included in the gracious wish which it expresses, we owe it, in obedience and duty to his Royal Highness, to explain ourselves with frankness and sincerity.

“ We beg leave most earnestly to assure his Royal Highness, that no sacrifices, except those of honour and duty, could appear to us too great to be made, for the purpose of healing the divisions of our country, and uniting both its government and its people. All personal exclusion we entirely disclaim: we rest on public measures; and it is on this ground alone that we must express, without reserve, the impossibility of our uniting with the present Government. Our differences of opinion are too many and too important to admit of such an union. His Royal Highness will, we are con-

fident, do us the justice to remember, that we have twice already acted on this impression; in 1809, on the proposition then made to us under His Majesty's authority; and last year, when his Royal Highness was pleased to require our advice respecting the formation of a new Government. The reasons which we then humbly submitted to him are strengthened by the increasing dangers of the times; nor has there, down to this moment, appeared even any approximation towards such an agreement of opinion on the public interests, as can alone form a basis for the honourable union of parties previously opposed to each other.

“ Into the detail of these differences we are unwilling to enter; they embrace almost all the leading features of the present policy of the empire; but his Royal Highness has, himself, been pleased to advert to the late deliberation of Parliament on the affairs of Ireland. This is a subject, above all others, important in itself, and connected with the most pressing dangers. Far from concurring in the sentiments which His Majesty's Ministers have, on that occasion, so recently expressed, we entertain opinions directly opposite: we are firmly persuaded of the necessity of a total change in the present system of government in that country, and of the immediate repeal of those civil disabilities under which so large a portion of His Majesty's subjects still labour on account of their religious opinions. To recommend to Parliament this repeal, is the first advice which it would be our duty to offer to his Royal Highness; nor could we, even for the shortest time, make ourselves responsible for any further delay in the proposal of a measure, without which we could entertain no hope of rendering ourselves useful to his Royal Highness, or to our country.”*

This was his opinion in 1812, in conjunction with his noble friend. A divided government he then thought a great evil, and the country had since felt it to be such, until the most sceptical had become at last convinced of its danger. Great as that evil was, there was yet one still greater, and that was a divided parliament. [Hear, hear.] But even beyond that itself—were there not ominous forebodings? What was

* The Letter from his Royal Highness the Prince Regent to the Duke of York, on the necessity of forming a vigorous and united Administration, together with the Answer from Earl Grey and Lord Grenville, will be found in the First Series of this Work, Vol. XXII, p. 39.

In the Appendix to Vol. XXIII, will be found a copy of the “ Papers relating to the Negotiations in the months of May and June 1812, for forming a new Administration;” also of the “ Papers relative to the Negotiations of the Marquis Wellesley and the Earl of Moira, for forming a new Administration.”

the aspect of the elements abroad? And, added to the uncertainty of their foreign relations, what, he would ask their lordships, was the state of Ireland? Were not these symptoms when combined too appalling to be any longer trifled with? Could they behold without dismay seven millions of their fellow-subjects, not combining in their common allegiance to the state, but writhing under bitter and distrustful feelings for their unmerited and impolitic wrongs, and panting for redress? Good God! how could parliament listen to such a statement as had been made by a noble marquis that night, which demonstrated, that persons of property and influence had been driven from the sister kingdom by a sense of the necessity of their own safety, which compelled them to withdraw from a state of things which they could neither remedy nor amend? Such was the state of excitation which existed, that it was impossible for landed proprietors to remain in the country; and yet such was the evil of absenteeism that it was sufficient in itself to perpetuate that excitation. With these appalling circumstances surrounding them on every side, what course could ministers have taken but the one which they had done? They had excluded their Catholic fellow-subjects from their place in the state as long as they could: they found, however, that the time had at length come, when such exclusion became not only impolitic, but imminently dangerous; and they did as all men would do who deserved the name of statesmen—they changed their policy, to meet the pressing exigency of the times in which they lived. To talk of consistency was nonsense in such a situation. There were no fixed or imperative rules for statesmen who have the government of a country in their hands: they must be influenced and governed by circumstances, by passing events, by the practical common sense of the hour. A private individual might indeed feel himself bound in honour to sacrifice even his life, for the maintenance of his expressed opinions; but not so with the statesman, who was bound to watch the progress of events, and shape his course, without reference to mere private feelings, according to the exigency of the state which he was bound to serve. In justification of the recent change of opinion of the government, he, who was totally unconnected with them, was ready to bear his testimony to the enlightened view which they had taken of

their situation, and to express his sincere conviction of the wisdom of their course. There was one of them, too, who had made as great a sacrifice as any minister had ever made for the good of his country. [Hear, hear, from the duke of Wellington.] A right hon. gentleman, who had every individual feeling, whether of private affection, or almost of public interest, to sway him from altering his course, had yet, in the discharge of his public duty, and actuated by an enlightened view of the real interests of his country, foregone all his previous predilections. This was the becoming course for a statesman to pursue, who felt that the only alternative was coercion or concession. Coercion they had tried; and it had failed; concession they were bound to try; and he had no difficulty in predicting its success. Lord Bacon in speaking of the course of seditions and troubles, had well said, that “to give moderate liberty for griefs and discontentments to evaporate, is a safe way: for he that turneth the humours back, and maketh the wound bleed inwards, endangereth malign ulcers and pernicious imposthumations.” Thus it was with Ireland: there was no remedy for her wrongs but prompt and full concession; there was, in fact, no other way of meeting the irrepressible energies of a brave and generous people. The cause of the evil was exclusion—the remedy must be admission—full, free, unqualified admission—to all the blessings of the constitution. Let their lordships do this—let them assist his majesty’s ministers in performing this great act of public justice, and they must insure the peace and tranquillity of the empire. Let them do this, and then what he had heard quoted upon another occasion, by one* whose voice he should hear no more, would be true upon this:—

“*Defluit saxis agitatus humor;
Concidunt venti, fugiuntque nubes
Et minax (quod sic voluere) ponto,
Unda recumbit.*”

Having come to this conclusion, he felt persuaded that the government would act with corresponding liberality, and he was confident that the noble duke at the head of it would, in the measure which he stood pledged to introduce, afford a real and effectual remedy to the long-subsisting evil.

* Mr. Fox. See his speech on earl Grey’s [then Mr. Grey’s] motion for a reform in parliament, in May 1793. *Parl. History* vol. xxx. p. 219.

He did not believe that the noble duke contemplated half measures, or that when he resolved upon advocating a settlement, he meant any other than a complete one. He gave the noble duke credit for his intended pacification of Ireland, and uniting the people of that hitherto distracted country in one bond of religious peace and concord. When he said this, let it not be supposed that he meant to deprecate the settlement of the question upon terms of what were called securities, which some persons thought were called for to tranquillize the apprehensions of certain classes of people in this country. For himself, however, he was ready to avow, that he attached little or no importance to securities: the greatest security he hoped to find in the measure itself; and, that once completed, all other securities would be perfectly unnecessary. He spoke as a member of the Church of England, to which he was deeply attached, and which he felt to be compromised, and partially endangered, by the prolongation of this system of exclusion of the Roman Catholics, whose religion had been so grossly attacked. When the noble earl talked of the inseparable connexion between Catholicism and slavery, he begged leave to ask him to what page of history he referred in support of his imputation. He had appealed, indeed, to the constitution as settled at the Revolution; but he ought to have recollected that in the Bill of Rights it was plainly declared, that the nation had contended for "the ancient and indubitable liberties of the people of England." The assertion at the Revolution had reference not to rights then newly acquired, but to their re-establishment. By whom had those rights been originally acquired? Why, by their Roman Catholic ancestors, who had enforced the acknowledgment of Magna Charta; who had enacted the statute of provisors and premonition, as a security against Papal encroachment. Why, then, impute slavish principles to a religion, which had so often asserted the true principles of freedom? Let us unite with them in the bonds of affection and loyalty, and if any question should hereafter arise as to the political power claimed by the Sovereign Pontiff, he had no doubt they would show in the present day the same spirit and determination, in resisting every attempt to enlarge the power of the church, which our Catholic ancestors had manifested.

He rejoiced to find that this measure of grace and justice had been recommended from the Throne, in the spirit of religious peace. It was the consummation of true glory, that the beginning of his majesty's reign, which had been so auspicious in the establishment of foreign peace, should have gone on to the beneficent application of a boon like this, which would unite all classes of the people in charity and brotherly affection. He felt so strongly upon this subject, that he feared he had trespassed too long upon the patience of their lordships. In doing so, he hoped he had not said a word which was felt to be painful by any noble lord who had preceded him. Indeed, his wish was to disarm animosity, and to pave the way to a calm and conciliatory adjustment of long-standing differences. He was strongly disposed to ask the noble earl who had presented the petition, what he proposed to himself by the sort of opposition which he was determined to pursue upon this occasion. He surely did not wish to throw the country into a state of religious war; and what, then, did he mean by his appeals to the noble duke to retrace his steps? If the present administration were to be dissolved, where did the noble earl think he could get another, to sustain his views upon this subject? He did not ask the noble earl to give up opinions, which he knew he conscientiously held; but he besought him to consider whether an indulgence in these extreme opinions was not more likely to endanger that constitution which he zealously sought to preserve, than any other line of conduct which could be devised. He earnestly hoped that no unnecessary delay would take place in introducing and settling the measure which the government had taken in hand. It was ridiculous to say that parliament had been taken by surprise. The subject had, in fact, long engrossed the public attention: it had been debated until nothing was left to be said on either side of the question. Men's minds must now be prepared for decision upon it, if they ever were to determine upon its adjustment. In conclusion, he had only to repeat his conviction of the necessity, wisdom, and justice of the policy which the government were now pursuing.

The Earl of *Falmouth* said, he had a few observations to make, in consequence of the reference made by the noble earl to the general feeling of the counties of

Devonshire and Cornwall on this question. In reference to the last general election, the noble earl had drawn the inference, that those counties were favourable to the proposed concessions, from the circumstance that a large body of the freeholders had supported that candidate for the county, who was, what might be called, a reformer. He could assure the noble earl, that the sense of the county was not taken on that occasion; and for the best reason in the world; namely, that there was no contest. He could tell the noble earl, that by far the greater part of the people of that county were against Catholic Emancipation; and, if the noble earl would ask the question of the present member for that county, he would find this statement borne out by the fact. The noble earl had said, that he agreed with the assertions of attachment to the constitution of this country; but he seemed to forget that that petition expressed the attachment of the petitioners to the Protestant constitution, as it was settled at the Revolution. The noble earl had then stated what had been the numbers of the successive divisions in the House of Commons on the Catholic question. Now, from that very statement an inference the very opposite of what the noble earl wished to draw might be deduced. It appeared, from the noble earl's statement, that the majority in 1806, in favour of the Catholics was 106; and that in 1828 they had a majority of only six. He would leave the country to judge whether that was a proof that the Catholic question had gained supporters within that time.

The Earl of *Winchilsea* said, he had never, directly or indirectly, interfered either in getting up the county meeting, or in procuring a majority in favour of the petition. Notwithstanding all that had been said by the noble earl opposite, the freeholders who composed the meeting were twelve to one in favour of the petition. No man had a better right to know the real sentiments of the meeting than he had; for he was continually moving about in a waggon, by means of which he could ascertain the sentiments of the meeting. The noble earl was in a waggon also; but, being stationary, he had not so good an opportunity of knowing the feelings of the people. The noble earl had stated, that individuals had been sent about for the purpose of keeping down the feelings

of those who were not favourable to the petition. This was not the fact; and he wished to exonerate the gentlemen of the county from such an imputation. There were, however a considerable number of the lower orders employed by the other side to overawe those who might be inclined to support the petition. He could state, certainly, that no individual was sent by any of the supporters of the petition for the purpose of overawing the people. He, for his own part, had not even exercised any influence over his own tenantry; for in all matters he wished every man to give an unbiassed opinion. The noble earl had stated that the feelings of the people of the county were changed; but he could assure their lordships that, so far from that being the case, he did not fear of obtaining an overwhelming majority in the county against any further concession to the Catholics. He had no intention of agitating the country unnecessarily; but when there was a question of such paramount importance, and which went to effect a vital change in the constitution of the country, he thought the voice of the people ought to be consulted. The question came before parliament in a shape different from what it had ever before done. The bill was not to be produced by those who had always advocated the measure; but by those who had always been its strenuous opponents. If the measure was to be carried, he trusted it would not be while the feeling of the country was, as he believed it was, against it. It remained to be proved, whether he or the noble lord was right as to the feeling of the country. A few days or weeks would determine that fact. God forbid he should agitate the country; but he could not agree with some noble lords, who thought that the question ought to be carried without having some certainty of the state of feeling entertained by the people of this country respecting the measure. What would be the consequence of passing this measure, if the feelings of the people of England were not attended to; and above all, when an opportunity like the present presented itself to ascertain their wishes on the subject? The noble earl had said, that all the liberties this country enjoyed were obtained by our Catholic ancestors; but he denied that those men were Roman Catholics, for they had all been excommunicated by the Pope; in consequence of their attempts to

obtain liberty for their country, and curb the encroachments of the See of Rome.

Earl Grey observed, that the noble earl had somewhat failed in shewing that England was not indebted for her liberties to our Catholic ancestors. He had attempted to prove that, by saying that they were excommunicated. Now that fact proved two things quite against the noble earl; first, that they were Catholics, for otherwise they would not have been excommunicated; and next, that even the terrors of excommunication, and of the Papal authority in that dark age, could not prevent them from doing what they conceived to be their duty to their sovereign and their country.

Lord Bexley declared, that he did not concur in the blame which had been cast upon ministers for not disclosing earlier their intentions respecting the intended measure. Did the noble duke suppose, because he had been able to make up his mind on this important question a few days before the meeting of parliament, that the sentiments of the nation had also changed within that short time? Was the experience of the last few days sufficient to convince him, that the sentiment of the nation was no longer adverse to those alterations of the constitution which it had hitherto strenuously resisted? He had himself seen no symptom of any such change in the opinions of the people of England. Besides the petition which had been presented that evening from the county of Kent, there were four other petitions to be presented, with similar prayers from four other large counties. And he believed that, when the nature of the proposed changes should be fully known, more petitions would pour in against them than had ever been presented upon any former occasion. In a measure of conciliation, the feelings of the two parties must always be consulted. Each of the adverse parties ought to be permitted to state his case; but, in the present instance, only one of them had been heard. As to the statements of the noble earl with regard to the declared opinions of the other House of parliament, all that the noble earl had proved amounted merely to this—that for a long succession of years, there had been regular alternations of majorities on each side of the question, and many very close divisions upon it. He must also observe, that he did not think that there was any thing unfair or unconstitu-

tional in his noble friend's declaring it to be his deliberate opinion that, when such great changes were going to be made in the constitution of the country, the administration of the day ought to appeal to a parliament, specially elected to take them into consideration.—There was one part of the noble earl's speech which he did not clearly comprehend; but it appeared to him as if the noble earl had asserted, that liberty of conscience formed no part of the present question. He would ask the noble earl, whether he really meant to assert that liberty of conscience did not form any part of this question? He would ask him, whether the professors of the Roman Catholic religion had not endeavoured to put down liberty of conscience, whenever they either had or thought that they had the power to do it? He would ask him, whether any thing but the overthrow of the Roman Catholic religion in this country had prevented its professors from destroying the religion which was now established? It was said, however, that we owed the principal part of our liberties to the exertions of our Catholic ancestors; and, as a proof of it, we were told that the most valuable safeguard of national and individual freedom, the trial by jury, was the institution of the Catholic Alfred. Now, allowing Alfred to have been the inventor of that institution, which might perhaps be questioned, still he would say, that Alfred was no Roman Catholic, or at least not such a Roman Catholic as we were accustomed to see in modern times. The Roman Catholics of the present day were opposed to the diffusion of the Scriptures in the vernacular tongue. Could that be predicated of the illustrious Alfred? By no means; for he had himself translated a great portion of the Bible into his native tongue. Most of our other great Catholic princes, who had been quoted as such staunch friends to the liberties of their people, had been tainted with that spirit of persecution which appeared to him to form no small part of Catholicism itself. The ascendancy of the Roman Catholics was not yet restored, and he trusted that it never would be; for he was prepared to show that the spirit of Catholicism was, as one of its poets had asserted, "immortal and unchanged." He was convinced that if this measure should pass, their lordships would soon be compelled to witness a succession of Roman Catholic en-

croachments, which would never cease, until those who made them succeeded in overturning the religion of the country, or were themselves overturned by the violent and terrible reaction of their own enthusiasm.

HOUSE OF COMMONS.

Friday, February 13.

ROMAN CATHOLIC CLAIMS—PETITIONS FOR AND AGAINST.] Mr *Hart Davis* presented a Petition from the parish of St. Augustine, Bristol, against the Roman Catholic Claims, and praying for the suppression of the Catholic Association. The hon. member stated, that the petition was the result of a meeting convened in Bristol, at which the mayor of Bristol presided. There was seldom so much unanimity displayed at meetings. The majority in favour of the petition was that of a hundred to one, which tended to show that there was a strong feeling in the country that the constitution should remain unaltered.

Mr. Secretary *Peel* rose, to present a petition from the Chancellor, Masters, and Scholars of the University of Oxford, against the Catholic claims. The petition, the right hon. gentleman said, expressed opinions decidedly adverse to the further concession of political power to the Roman Catholics. He felt himself bound to state, that the opinions expressed in this petition were couched in still stronger terms than those used upon any former occasion. He felt himself bound also to state, that the petition had not been agreed to without due notice having been given of the intention to bring it forward; that it was agreed to by a more numerous assembly than had ever before been convened for such a purpose in the university; and that, though not carried unanimously, it was carried by a larger majority than upon any former occasion. The numbers for the petition were 164; against it 48. He felt it his duty to present this petition, in the absence of his hon. colleague, who was prevented from attending by a domestic calamity; and under these circumstances, he felt it incumbent on him to state the circumstances under which the petition had been agreed to, and the relative numbers in favour of and against its adoption.

Mr. *Bransby Cooper* said, that, anxious as he was for the interests of the country,

and for the welfare of that establishment with which those interests were so intimately connected, he felt it necessary to state his sentiments on the momentous question to which the petition related. He deemed it to be his duty to deliver them now; for he must say, that the surprise and disappointment which he experienced at the opening of the session, were so great, as almost to deprive him of the power of giving utterance to his feelings. He, and those who thought as he did, were astonished at the great change which had taken place in the opinions of his majesty's councils. They were not prepared for such a proceeding; and he confessed, that he especially felt regret at the alteration which had been effected in the opinions of the right hon. Secretary for the Home Department, because he had hitherto considered him as the great supporter of the Protestant interest. Indeed, from the correspondence which had passed between his right hon. friend and himself, he should have thought that no such change could possibly have taken place. In saying this, he could assure his right hon. friend, that he was actuated by no unkind or invidious feeling. He admitted, most broadly, that his right hon. friend had an undoubted right to change his opinions. He imputed no blame to his right hon. friend, but at the same time, he could not avoid lamenting so important a defection from that cause which his right hon. friend had so long and so ably advocated. He did so the more especially, because the change that had taken place had, as it were, paralyzed the efforts of numbers who were disposed to rely entirely on the efforts of the great man at the head of the administration, seconded by those of his right hon. friend. He had listened with the utmost attention to the explanatory speech made by his right hon. friend at the opening of the session, and also to the speech delivered by his right hon. friend, when he introduced the bill for suppressing the Catholic Association—a speech of which he highly approved, because it contained a picture of that lamentable state of things in Ireland, which had led the right hon. Secretary to change his ideas on this important subject. Still, however, there did not appear to him to have been any reasons adduced sufficient to account for this alteration of opinion. He had heard nothing upon that occasion, or scarcely any thing, but what had already appeared in the publications of the day;

and he must say, that there was no effervescence of feeling in Ireland—no system of intimidation or of insurrection—that might not have been put down by other means than that of granting concessions. He felt the most firm conviction, that the noble duke at the head of the ministry, could have suppressed any insurrectionary demonstration in Ireland, without having recourse to any such measure as that now contemplated. The protestant spirit had been roused in that country, and it would, in case of danger, have rallied round and preserved the constitution. On these grounds, he would say, that he had not heard any sufficient reason for the adoption of a measure, fraught with such extreme peril. If the dangers described by the right hon. Secretary, had even been ten times greater than they really were, he could not conceive that the ministers of the Crown had any right, in endeavouring to avert them, to infringe upon the vital principle of the constitution. That vital principle was, that the government should be wholly, essentially, and exclusively Protestant. If that principle was once broken in upon, the constitution was at an end. On one point he entirely agreed with the right hon. Secretary. He agreed with him, that the system adopted of late years—that of the administration adhering to a neutrality on this subject—was absurd, and ought not to be continued. It was the most dangerous thing for the state of the sister island that could possibly happen; because it must tend to keep alive acrimonious feelings amongst both parties, whereas, by pursuing decisive measures, those feelings would be removed. For himself, he thought that a Protestant king ought to be surrounded by a Protestant parliament, and assisted by a purely Protestant administration, and he had no doubt, that in this great, powerful, and enlightened empire, such an administration might be found to conduct its affairs with safety and success. It was said, however, that notwithstanding the objection that was generally expressed to the granting of concessions, measures might be devised to prevent the apprehended danger. Now, he must beg leave to say, that, with respect to securities on so serious a subject as this was, he felt very great doubt and difficulty. It appeared to him, that those who promoted this measure, would first produce the danger, and then seek the securities; they would let the enemy into the garrison, and

then trust to his forbearance,—they would let the wolf get into the fold, and, that done, he would soon get rid of his muzzle, and make use of those weapons with which he was provided, to effect their destruction. The whole scheme of securities appeared to him to be completely illusory. The only real security which Protestants could have, was the total exclusion of the Roman Catholics. It was said to be essentially necessary, that this question should be settled. Now, he had always conceived, that it was finally settled before the Revolution took place; and that the proceeding was then confirmed, as a settlement, by the Revolution. It was allowed, on all hands, that popery had neither changed nor could change; that it remained immutable. If this were so, then he could see no reason for any change in our Protestant constitution. Were not Catholics excluded from this and the other House of parliament, by oaths administered for the purpose of protecting the Protestant Church? Then, assuredly, if they introduced a Roman Catholic to either House of parliament, they admitted a conscientious opponent of that Church, who would do his utmost to undermine it. This was a danger against which they ought to guard watchfully; for it was quite impossible, when Roman Catholics were once introduced, that they should not endeavour to subvert the established Church. And who would be the persons most likely to get into parliament? Why, those very individuals who were more especially attached to the tenets of the Catholic Church, and who were, therefore, the more dangerous. Why, then, should they create a positive evil, against which there could be no effectual safeguard?—They had been told, that it was necessary to bring this question to a satisfactory conclusion. On that subject he perfectly agreed; but he must say, that it was impossible to point out any security that could be satisfactory. He denied that any such could be found; and, if the boon were granted with any species of securities, the Roman Catholics would not be satisfied. Why, then, did they entertain this question at all? It was said that this measure would remove the dissension and ill-will which now prevailed in Ireland; but, was it likely that it could be carried, without producing animosities among the Protestants, both there and in this country? And thus, perhaps, the business would end in that very civil war, which

these efforts were intended to prevent. They could not, he maintained, grant concession without incurring danger, against which no precaution could avail. He was perfectly satisfied that the Catholic claims could not be granted, without weakening the settlement of the House of Brunswick to the throne of these realms,—they could not be granted, without departing from that line of policy which had raised Great Britain to her present high rank amongst the nations of the earth,—they could not be granted, without danger to that Church, which had long shone as the glory of the Reformation,—they could not be granted, without condemning that Providence, which had so long and so signally preserved our constitution. He, however, hoped, that those dreadful evils would be averted by the efforts of the people; and he was sure that all true Protestants, in every part of the country, would, to a man, resist those claims. He belonged to a united band of true Protestants, who were determined to use all proper and constitutional modes to prevent the introduction of the Roman Catholics into either House of parliament, or to high offices in the state, on any conditions whatever.

Lord *Nugent* said, he should not have risen to offer one word of observation on the speech of the hon. member, if he had abstained from using a particular expression, which he certainly had heard with great surprise. He had been pleased to announce to the House, that it was the intention of all true Protestants, to oppose this measure of concession. Now the hon. member would allow him to say, that no gentlemen who opposed that measure had any right to arrogate to themselves the exclusive character of true Protestants. The right hon. Secretary, who had done himself so much honour by stating his intention to propose a measure on this subject to the House, and those who were determined to support that measure, assumed to themselves, and justly, as much true Protestantism as the hon. member could boast of. He had always considered true Protestantism to be based upon liberty of conscience: he had always considered true Protestantism to have been established on general information, and the truth and spirit of the gospel,—which resisted persecution, and rested itself on the purity of its doctrine. To that he looked for the security of the Protestant Church and constitution. He had always considered

the best security of that Church to consist in entire liberty of opinion. Whether he was right in his view of the subject, or the hon. member was right in his, he would never hear the title “true Protestant” ascribed exclusively to those who opposed the Catholic claims, without protesting against the right they had to arrogate to themselves any such distinction.

Mr. *B. Cooper* said, he certainly did not mean to arrogate the character of “true Protestants” exclusively to himself and those who thought as he did.

Mr. *T. Duncombe* was of opinion, that those gentlemen who inveighed, at such great length, against the Catholic claims, would do much better if they would point out what they had to offer as a substitute for that concession which appeared to them so very alarming. He could wish the hon. gentleman, who had just explained, to say whether he would advise his majesty’s government to meet the present state of Ireland with absolute coercion? Whether he would advise his majesty’s government to decide this great domestic question by the sword? He thought that, if such were his advice, the noble duke at the head of the government would reject it. That noble duke knew well the temper of the people of this country—he knew well how to appreciate the gratitude which they felt towards him for the protection which his sword had afforded to his country; but he knew equally well, that by the sword alone Great Britain would never consent to be governed.

Mr. *Wynn* said, he should not have thought it necessary to trouble the House, if it had not been for one expression which had occurred in the speech of the hon. member for Gloucester,—an expression which, he confessed, he had not before heard in that House, though he found that it had been most sagaciously used elsewhere. The hon. member had said, that the proposed measure would impair the title of the House of Brunswick to the throne. Amongst certain publications which had fallen into his hands, and which he had read with great concern, he found precisely the same offensive allusion. One of the morning papers had recently contained the following passage:—“It was only the childless possessor of a throne, who could seek thus to impair the title of his family to the succession.” Now, what was that title? How was it created? By the choice of a free people; for it was the

undeniable right of the parliament of this country to limit the succession to the throne. It was upon that principle that the House of Brunswick was called in, not only for the preservation of our religion, but for the maintenance of our liberties, and he thought it was most desirable as the House of Brunswick came in on such a principle, that it should be well understood. The hon. gentleman had expressed his wonder, that no grounds, satisfactory to him, had been stated by the right hon. Secretary of State, for altering, not his opinion, but his line of conduct. Now, in his view of the case, it was a matter of wonder that that alteration had not long ago taken place in the mind of his right hon. friend. He lamented deeply that it had not because he believed, that the degree of gratitude with which this boon would then have been received, would have been greater; and because he feared a longer time must now elapse before the agitated waves, which had been chafed into a storm by the constant rejection of this question, subsided into a calm. They must wait for some time, until there were no remains of those conflicting opinions, which had agitated the country so long, before they could hope for permanent tranquillity. But a person like his right hon. friend, who looked on this measure as a choice of evils, would undoubtedly adopt every necessary step to secure that tranquillity as speedily as possible. It was impossible to conceive what the increased danger, attendant on the settlement of this question, would be—it was impossible to conceive when the fulfilment of those prophecies of mischief, which they had so often heard, would take place; but, on the other hand, no man who attended to the subject could deny, that the existing and palpable evils which his right hon. friend had described, had increased rapidly within the last two years, and must continue to increase, if concession was withheld. The hon. gentleman had expressed it as his opinion, that the institution of Brunswick clubs had been useful. Now, if there were one thing more than another which pleased him in the measure lately introduced, it was because it gave the power of putting down all those associations, whether Brunswick or Catholic. The hon. gentleman might look on the Brunswick clubs as formed for the purest and most necessary objects; but could he be blind to the fact, that if they were allowed to subsist, coun-

ter-efforts would be made on the other side? He hoped that the putting down of the Catholic Association would be followed by the suppression of other combinations; because, if this were not done, the inevitable consequence must be, that there would be a constant conflict of parties. He felt, that his right hon. friend had done himself the highest possible honour, by the course he had taken. He knew it might be said to his right hon. friend, "why did you not retire from office, and pursue the course you have done as an individual member of parliament?" He would say, that if his right hon. friend, after fair consideration—after balancing between the choice of evils—evils which he saw, and evils which were contingent—the evils of concession, and the evils of refusal—if, after that mature consideration, his right hon. friend thought, as a minister, that it was for the interests of the country which he was bound to watch over, that a measure of concession should be conceded, then it was his duty to propose it, whatever might be the sacrifice. But, what would have been the case if his right hon. friend had retired from office, and had said, "I will support this measure as an independent member of parliament with my individual vote, but I do not think it consistent with my former conduct to act as a minister?" Why, every one of those gentlemen who now complained, would then accuse his right hon. friend with having acted a mean, juggling, shallow, artificial part. Would it not be said, that "he retired from office merely to escape the odium of bringing forward the obnoxious measure; but, relying on the reputation he has established, he knows that he may return to office whenever this measure is completed?" For his own part, he thought that such conduct would have been most cowardly, and have merited severe censure and general indignation. His right hon. friend had adopted a different course; and, for one, he had his (Mr. Wynn's) most hearty and cordial concurrence.

Mr. Secretary *Peel* said, he could assure his hon. friend the member for Gloucester, that whatever opinion he might express, it could never shake the perfect esteem which he felt for his character, or his decided conviction, that his hon. friend would never take any course, on any public question, without the most deliberate consideration and the most honest conviction. He rose chiefly to complain,

but with perfect good humour, that his hon. friend had alluded to a correspondence which had taken place between them. He would tell his hon. friend that he would rather have the correspondence in question read though private, than alluded to. When his hon. friend had written to him upon the subject of the intentions of government, his respect for his hon. friend, had prevented him from adopting the course which, as a member of the government, he might have adopted; namely, abstaining from any reply; but every one knew how difficult it was, on such an occasion, to frame any reply which would be satisfactory. His hon. friend had also observed, that he saw nothing in the state of Ireland which might not have been put down by the strong hand of the noble duke at the head of the government. He fully concurred with his hon. friend in that opinion; but he would repeat what he had said before when the people had been put down by force, where should we then be? In the year 1798, the rebellion was effectually suppressed by the employment of a strong military force, and he had not the slightest doubt that the same success would attend an exertion of the same kind at the present moment. What he wished, however, to impress upon his hon. friend and upon the House, as the conviction of his mind, was, that after the most complete success, the question would remain precisely as it was but with all animosities which before existed, doubly infuriated, and with all the relations of society, and all the connections between man and man, poisoned to an infinitely greater extent, than they were before that collision took place. Could his hon. friend, too, who expressed so much regard for the Protestant Church, contemplate the situation in which that Church would be placed by such a contest, or could he feel any satisfaction that its liberties had been preserved by that force only? the point to which they must turn their minds was, how to allay irritation; not how to exasperate it. When gentlemen argued that this question ought to be brought to the issue of a civil contest, they should not only look to the immediate issue of that contest, but should also consider what were the evils that would arise on the moment, and the long succession of miseries that would inevitably follow.

COMMITTEE OF SUPPLY.—FINANCE COMMITTEE.] On the order of the day, for going into a Committee of Supply,

Mr. *Hume* said, he would take that opportunity of asking his majesty's ministers what were their intentions with respect to the Finance Committee. It would be in the recollection of the House, that a great portion of the time of that committee had been occupied in providing materials which were necessary to enable them to form a correct opinion upon the subjects into which they were appointed to inquire, little, therefore, had as yet been effected by that committee; and he was anxious to learn whether it was the intention of government to revive it this session. He was also anxious to know if ministers were prepared with any system by which the public accounts might be simplified. It was, perhaps, not generally known to the House, that the Finance Committee had appointed a commission to make themselves masters of the form and manner in which the public accounts, not only of this, but of other countries, were kept, in order that they might submit some intelligible plan of keeping those accounts, which should supersede the mysterious and perplexed system now acted upon. It was a reproach to this country, that, while the public accounts of other countries were clear and distinct, ours were perfectly unintelligible. The public accounts of France and America, were intelligible to any man who understood the first four rules of arithmetic.

The *Chancellor of the Exchequer* assured the hon. member that there was no indisposition on the part of ministers to revive the Finance Committee. Considering, however, the duties which now devolved upon the government, he had, after communicating with several members of the committee, come to the determination to defer, for some time, the revival of the committee. If the hon. member thought that any facilities would be afforded by the materials to which he had alluded being laid upon the table, he had no objection to the production of them. With respect to the commission, to which the hon. member had referred, they had, ever since their appointment, been assiduously employed upon the task committed to them, and it was only within the last few days that their report had come to his hands. It was extremely voluminous, and he had not yet been able

to peruse it. He would, however, at the earliest opportunity, examine it, and state his opinion upon it.

Mr. *Hume* said, it would doubtless be in the recollection of the House, what his individual opinion had been with respect to the Finance Committee. He had always thought that little good would be done, unless the subjects which were to occupy the attention of this one committee were divided among a number of committees. His anticipations had been fully realized. Certainly, the Finance Committee had not been deficient in labour and diligence, but the documents and evidence which had come before them were so voluminous, that though it was thought extravagant in him at the beginning of the session to propose that so many committees should be appointed, he was convinced that, at the end of the session, not one of the committee had any doubt that his proposal was a good one.

The House having resolved itself into a Committee of Supply, the chancellor of the Exchequer moved, "That 28,046,800*l.* be granted to His Majesty to pay off and discharge Exchequer Bills, and that the same be issued and applied towards paying off and discharging Exchequer Bills charged on the Aids or Supplies of the years 1828 and 1829, now remaining unpaid or unprovided for."

Mr. *Hume* said, that though this was dealing in very large sums, he did not object to the vote. Upon it, however, turned a question of great importance. The unfunded debt had occupied a large portion of the time of the Finance Committee, and he therefore thought that the government ought now to tell them how far they meant to continue the unfunded debt, which had been declared to be considerably larger than it ought to be. The dangers of such a debt were now well understood; and though there was no panic at present, yet, if such an event were to happen, serious consequences would arise from having such a large unfunded debt. He knew he should be told that this information would be more properly given when the general state of the finances was laid before the House, and that it would be inconvenient to give it now; but he had always contended, that before the public money was voted, ministers ought to tell what they meant to do with it.

The *Chancellor of the Exchequer* said,

that the hon. member had anticipated his objection to complying with his request. Every body must see that a premature disclosure of the intentions of government was calculated to produce great inconvenience. It would have no other effect than to excite speculation, and to involve the money market in perplexity. Without, therefore, the least intention of concealment, he must refuse to satisfy the hon. member.

Mr. *Maberly* thought, that the declaration of the intentions of government would come more opportunely now, and be more likely to prevent the speculations which the right hon. gentleman apprehended, than at any other period. It was his opinion, an opinion in which the House concurred last session, that the unfunded debt should be diminished as soon as possible. In the revenue of last year there had been a surplus; and there was ground for anticipating, with due attention to economy, a surplus in the revenue of the present year. In the event of this surplus exceeding the estimated expenditure, he thought it might be well applied to the diminution of this debt.

The resolution was agreed to.

ASSOCIATIONS SUPPRESSION (IRELAND) BILL.] On the order of the day for going into a committee on this Bill,

Mr. *Butler Clarke* said, that unavailing as might be any praise that he could bestow upon the right hon. Secretary, and lightly as he might value it, he could assure him that his conduct on the present occasion met with his warmest approbation. It was as creditable to the right hon. gentleman, as his opposition to the measure of relief to the Catholics had hitherto been straight-forward and honourable. When the hon. member for Dorsetshire and others said, there was nothing in the present state of Ireland which justified the change that had taken place in the sentiments of the right hon. gentleman, he would remark that those gentlemen knew little of the state of Ireland; for, whatever excitement prevailed in that country before was trifling, compared to the excitement and party spirit that at present raged, from one end to the other of the country. It was too late now to talk of the infringement of the constitution. When the first infringement was made by the Union it should have been accompanied with the concession about to

be granted. Without such a measure, the Union could never be completed, nor Ireland tranquillised. With regard to the bill before the House, he approached it with hesitation. He had given his cordial support to the act of 1825, because he thought it necessary, and that it would lead to the measure to which this bill was to lead. He should be much better satisfied if the present bill and the measure for the relief of the Catholics had been introduced simultaneously. Having voted for the act of 1825, and having been disappointed in the consequences which he expected from that act, he thought it but justice to say, that, in his opinion, had it not been for the Association, the Catholic question would never have been thus far advanced. Every body who knew him would believe that he did not say this, in order to procure the good opinion of the Association. He confessed he felt a deep interest in the question: he would rather see a Catholic occupying his place in that House than be there himself. He hoped that government had calculated well on the success of the measure that was to follow the present one; for if they carried the measure of coercion without the measure of concession, all the excitement which had hitherto taken place would be trifling to what would hereafter arise. He, therefore, confidently hoped that both measures would pass. He had the fullest confidence in the noble duke at the head of the government, and in the right hon. gentleman, that they would carry both measures successfully, and satisfactorily to the whole country.

The House then resolved itself into a committee on the bill, which was read paragraph by paragraph. A short conversation took place on the first clause, to which a verbal amendment was proposed by Mr. Moore, in the passage in which the future meeting of the members of the Catholic Association is prohibited, but which he eventually withdrew. On the second clause,

Lord Nugent asked, whether, when the lord lieutenant had issued his proclamation or order against any particular society, the magistrates to whom the order was addressed might not put it in their pocket, and avail themselves of it at any period they might think proper?

Mr. Secretary Peel replied, that if the society in question dissolved their meeting, and afterwards re-assembled in another

place, the magistrates would have the power of preventing such an evasion of the law.

Mr. Wallace wished that the terms of the proclamation had been defined in the bill. It now rested with the lord lieutenant to use what terms he chose; and if they were too general, they might put the magistrates intrusted with its execution in a situation of great difficulty.

Mr. Secretary Peel said, it ought to be considered that, in all probability, the power which this bill went to confer would seldom be exercised; he trusted never. Unless the meetings were of a nature calculated to create alarm, or to endanger the public safety, the lord lieutenant would not be warranted in putting the act in force. The meetings must be continual, and must be menacing to the tranquillity of the state. Of course the lord lieutenant would specify the meeting against which his proclamation was directed; but he did not think they could assist him prospectively.

The Attorney-general objected to too much definition, specification, and particularity, lest the law might be evaded. The potentiality of this act consisted in its generalities.

Mr. A. Dawson said, that the explanation which had been given by the right hon. Secretary, as to the nature and probable operation of the second clause, had relieved his mind from much anxiety. He hoped that he understood the right hon. gentleman correctly in supposing he had intimated that it would be a part of the instructions to the lord lieutenant not to direct the operation of this act against any meeting, which should have no connection with party, but should be fairly and *bonâ fide* assembled for purposes connected with trade, commerce, elections, or the internal policy of the country. The declaration which the right hon. gentleman had made upon the subject would do a great deal of good. But there was a description of meetings that took place occasionally in Ireland, which sometimes threatened to produce great mischief, and which he thought would not be reached by this bill. This bill would not authorise any interference with the processions which frequently took place in Ireland on the 17th of March, on the 1st of July, the 12th of August, and the 4th of November. These processions were not, perhaps, illegal, but there were some circumstances about them,

such as the exhibition of naked swords and of party colours, which seemed to him calculated to lead to a breach of the peace; and he should therefore suggest the introduction into the clause of the word "procession" after the word "assembly."

Mr. Secretary *Peel* said, that the manner in which the hon. gentleman had proposed his amendment was sufficient to show that he brought it forward in perfect candour. He had, however, a strong objection to extending the sphere of the lord lieutenant's discretion further than the necessity of the case required; and he did not think that it would be proper to include within the operation of the bill other societies which had not been originally contemplated as its proper objects. Besides, as the law stood at present, it was quite sufficient to put down any processions which tended to endanger the public peace. In the course of the last summer processions of this kind took place to a considerable extent, and the lord lieutenant did not hesitate to issue his proclamation for their suppression, and the proclamation produced the necessary effect. As the law, therefore, was sufficient as it stood, he thought it would be better to make no additional enactment on the subject. His experience in amending the criminal law had taught him that the best mode of proceeding in such cases was to use the fewest and plainest words which could express the meaning, and when once the signification was clear, any further attempt to make it plainer only created obscurity. In framing the last law to put down this Association, it had been thought proper to make some exceptions in favour of meetings for charitable purposes, for the purpose of petitioning, and for one or two other purposes. The consequence of this was, that the Association, under some one of these forms, had been able to evade the provisions of the law. The object of the present measure was, to prevent the possibility of such evasion in the present instance, by enabling the lord lieutenant to meet the Association in whatever form it might appear. The power which the lord lieutenant possessed, although discretionary, was exercised under a heavy responsibility. He begged to state, that he intended to adopt the suggestion made yesterday evening by the hon. and learned member for *Winchelsea*; namely, that the powers should be confined to the two

magistrates to whom the order of the lord lieutenant should issue, and that it should extend to other magistrates, only in the event of the offending parties evading the law by flight.

The clause was agreed to, as were also the other clauses, after a short conversation.

HOUSE OF LORDS.

Monday, February 16.

ROMAN CATHOLIC CLAIMS—PETITIONS FOR AND AGAINST.] Lord *Colchester* said:—My lords, in presenting the Petitions which I hold in my hand, against the Roman Catholic Claims, I am desirous to take this, the first opportunity upon which I have been able to attend in my place since the opening of the session, for declaring that, notwithstanding the unexpected sanction which has been given to the consideration of the Roman Catholic Claims, my opinions have undergone no change; and that I cannot surrender or sacrifice my opinions and principles to the fears of his majesty's ministers, or to their apprehensions of dangers to arise from the discontented and disturbed state of the Roman Catholics in Ireland.

To the noble duke at the head of his majesty's councils, for his former splendid services in war, the debt of public gratitude is immeasurable; nor can any subsequent events, at any length of time, ever in any degree, extinguish or impair the amount of our gratitude and admiration.

In the same noble person, the country had confidently expected also to find an uncompromising defender of our Protestant Constitution, as settled at the Revolution. But that expectation, and I speak it with the sincerest regret, has been wholly disappointed, and our hopes in that respect have totally failed.

The measures recommended in his Majesty's Speech, delivered by the lords commissioners on the first day of the session, as then explained by his majesty's ministers, comprehending the admission of the Roman Catholics into both Houses of parliament, tend directly to overthrow and destroy the Protestant constitution of parliament, as established at the Revolution; and the assumed principle, that religious

* See Declaration of the *Prince of Orange*, dated at the *Hague*, 10th October, 1688, that his purpose of going over to England was "to have a free and lawful Parliament assembled, (that so the two Houses may concur for the

opinions should be no bar to the possession of political power, tends also to shake the title of the reigning family to the crown of these realms, and to bring into question the comparative claims of the House of Savoy, in preference to those of the House of Hanover.*

Nevertheless, with these perilous consequences in view, we are about to enter upon the consideration of those measures; and it appears to me to be due to the country, and to the vital and paramount importance of the question itself, that the fullest and earliest information should be given us, respecting the nature and extent of the concessions to be made, and the guards and securities, as they are called, or other regulations, which are to attend those concessions. And it is also due to the nation, that ample time should be allowed, and the most satisfactory course adopted, for bringing our legislative proceedings on this subject to a just conclusion.

With respect to the information desired, it would not have been inconsistent with the forms of parliament, if the noble duke had thought proper, when the King's Speech was first brought under consideration, to have stated the outline of his measures, in all their parts. But if he thought it more expedient to postpone that explanation until they could be put into the more tangible shape of bills, it may not be asking too much, even at this time, to know, whether all the concessions, and all their attendant securities or regulations, are to be embodied in one bill, or made the subject of separate bills;—and whether any, and which of them, are to originate in this, or in the other House of parliament?

As to the time to be given for completing the proposed measures, all men must agree, that it is highly desirable to bring them to a final decision within

"preparing of such Laws as they shall judge necessary and convenient, both for confirming and executing the Test, and such other Laws as are necessary for the security and maintenance of the Protestant Religion, &c." And see 1. W. & M. Stat. 1, c. 1, sec. 3, enacting, that the *Declaration of 30 Car. II.* should be taken by the Members of that and all future Parliaments.

* See Stat. 12, 13, W. III. c. 2, sec. 1, by which the *Crown is settled* on the Princess Sophia, Electress and Duchess Dowager of Hanover, "the next in succession in the Protestant line."

the limits of the present parliamentary year. And, as to the most satisfactory mode of proceeding, I entirely concur in the suggestion already made, that so soon as the ordinary bills for the services of the treasury and the army, and other matters incidental to the commencement of a session are completed—which must of necessity take place within the next three or four weeks—his majesty might be advised to dissolve the present parliament before the approaching spring recess, and call a new parliament forthwith;—by which his majesty would obtain the fullest knowledge of the opinions and wishes of the people—and the people might choose those representatives whom they would prefer for treating of, and consenting to, the great measures of which they would have been thus previously apprised. Measures so debated, and finally decided upon, would necessarily carry with them the greatest weight, and be most satisfactory to the country, whether their result should be a determination to persist in the tried path of the constitution, by which the empire has advanced to its present prosperity and glory, or whether it should be resolved to give a new character and composition to parliament, from which effects still more beneficial might be anticipated.

My lords, I have troubled the House with these few remarks upon the prospective course of our proceedings; and I hope it will not be considered by the noble duke as inconvenient now to inform us, whether the proposed measures will be embodied in one, or in several bills, and in which House of parliament they may be expected to originate.

The Duke of Wellington said, that on the first day of the session he had the honour of stating to their lordships the general purport of those measures which his majesty's ministers had received his majesty's command and authority to introduce into parliament; and he must beg leave to decline to go further at present in the way of explanation, or to answer the queries of the noble lord, by stating whether those measures would be embraced in one or more bills, or whether they would originate in this or in the other House of parliament. These measures would be brought forward on the responsibility of his majesty's ministers. His majesty's ministers were already responsible for the advice which they had given to his majesty to mention this subject in the Speech which

had been delivered by the lords commissioners from the Throne; and they would be responsible for the complete execution of those measures after they had been adopted by this and the other House of parliament, and would form a portion of the law of the land. But, whether his majesty's ministers were responsible or not for those measures, he would positively reject the charge which had been so positively made, that those measures had been suggested to his majesty's ministers, or that their minds had been at all influenced by the fear of any thing that could occur in this or in any other country. He totally denied the truth of such an assertion. There never was a period during the last twenty years, in which, looking to the circumstances and relations of this country, there was a more total absence of all cause for fear than the present: and, whatever might be the consequences of this measure, he would maintain that the period at which it was introduced, showed sufficiently that its introduction did not spring from fear, and that such was the fact, he was ready to prove to any man, upon the clearest possible evidence. But, though these measures had not been suggested by fear, nor by intimidation, it would be found, when they were brought forward, that they were founded upon the clear and decided opinion, that this question ought to be settled, and that considerable sacrifices had been made by himself and his colleagues, in this and in the other House of parliament, with a view to the final adjustment of it. In doing so he begged the noble lord on the cross-bench to believe, that not the least considerable or the least disagreeable sacrifice on his part, was the necessity imposed upon him of differing from the noble lord on this subject. But he would not talk of his own sacrifices—they were trifling when compared with the sacrifices which had been made by some of his noble friends near him, and by his right hon. friend in another place. He could not conceive a greater sacrifice than must have been made by his right hon. friend, to bring his mind to the determination of carrying this measure. It was obvious that nothing but an imperious sense of duty had induced his right hon. friend to make such a sacrifice; but the inconveniences and dangers which had arisen from the present state of things in this country and in Ireland had left him no

alternative but the adoption of this measure; and now that he had adopted it, he would use his best endeavours, in concert with his colleagues, to carry it into effect. Under such circumstances, he would entreat their lordships to wait until the whole question should have come before them. When the measure should have been well considered by them, they would then see whether it would be attended with the dangerous consequences ascribed to it—and whether the carrying of it would not place the Protestant constitution of these realms upon a better footing than it had been since the Union with Ireland. He would not now enter into the discussion whether the consequences of this measure would be injurious to that Throne, for the maintenance of which he was ready to sacrifice his life, or whether the measure was likely to produce those effects which were apprehended by his noble friend on the cross-bench. Of this he was certain, that the existence of the dangers which some noble lords seemed to apprehend from the adjustment of this question, they were never able to establish; and whenever the discussion of the measure came before their lordships, he would be ready to prove, that the Protestant institutions of this country were exposed to more dangers at present, than they would be exposed to after the adoption of the measure that would be proposed.

The Earl of *Eldon* wished to know whether the noble duke had, on the first night of the session, said any thing that could afford the least clue to the measures which were to be proposed to parliament? He would take the liberty of saying, that he could not collect from the explanation of the noble duke on that occasion, any more information than was to be found in his Majesty's Speech; and, up to the present moment, it appeared to him that the noble duke had given no explanation whatever as to the manner, or form, in which those measures were to be introduced to parliament.

The Duke of *Wellington* said, he would beg to remind his noble friend, that upon the occasion alluded to, he had expressly indicated the course which his majesty's ministers had determined to pursue. He had then stated, in answer to a question from a noble lord, that it was their intention to introduce, in the course of the present session, a measure for the adjustment of what was called the Catholic

question, which would include the general removal of all disabilities, with certain exceptions founded upon special reasons; and that that measure would be attended by other measures, rendered necessary by the removal of those disabilities. These were the words, or words to the same import, which he had made use of on that occasion, and he had then declined, as he still begged to decline, to give for the present any further information on the subject.

The Earl of *Eldon* said, the noble duke had certainly set him right. What he now understood him to mean was, that it was intended to remove all disabilities, with certain exceptions.

Lord *Holland* said, he could not refrain from characterising the question put by the noble baron on the cross-bench, had it proceeded from any other individual but the noble baron himself, as the most unparliamentary one he had ever heard asked within those walls. He should not allude further to that question, after the noble duke opposite had so well answered one portion, and had assigned such satisfactory reasons for declining to give an answer to the remaining portion of it. With respect to the threat held out by the noble baron, that the Protestants of this country should petition his majesty to order a penal dissolution of the House of Commons, he had no hesitation in pronouncing it the most unconstitutional mode of proceeding he had ever seen adopted. But that subject had been so well argued by a noble friend (earl Grey) on a former evening, that he felt it unnecessary to offer any thing in addition to the arguments then employed by his noble friend. But there was one expression which had fallen from the noble baron, which he was fully prepared to argue; it contained an opinion, novel indeed since the period of lord George Gordon, and which had never been used, in considering this question, since its employment by that celebrated character. The noble lord said, that those laws, the repeal of which was now about to be proposed, formed an essential part of the constitution, as settled at the Revolution, and that it was the intention of the noble duke and those persons in the House of Commons who proposed the removal of those laws, to upset and destroy that constitution. Did his noble friend, versed as he was in the history of acts of parliament, mean to

say that those laws were passed at the Revolution—that they were asserted and insisted upon, as belonging to the ancient and indisputable rights of the people of this country? He wished his noble friend would explain what he meant when he spoke of the constitution of this country. A Protestant sovereign was established on the Throne of these realms by the Revolution. Did the noble lord conceive that there was any one wicked or depraved enough to wish to do away with that principle? It was his duty to tell the noble lord, that if he examined closely the legal and historical documents connected with this subject, he would find, first, that though those laws were received and recognized, they were not enacted at the period of the Revolution: they were recognized and insisted on at the Revolution, it was true; but, in the very act which recognized, asserted, and insisted upon other matters essential to the constitution and fundamentally belonging to it, these laws were placed in that portion of the act which was not considered fundamental, and distinct from that portion of it which insisted upon the essentials of the constitution. Nay, he would go farther, and engage to prove, that so far from those laws against the Catholics being considered essential to the constitution, their removal was a thing contemplated by the Revolution. In lieu of them the succession had been altered, and the present succession to the Crown in the person of a Protestant was substituted as a security in their stead. The Protestant succession was then a principle established at the Revolution, and not left to the subsequent decision of parliament. Let the noble lord look to the act of Union between this country and Scotland, or the act of Union between this country and Ireland. What did they say on this subject? They did not state that they recognized the Protestant succession as at present established, because parliament recognized it. Parliament had nothing to do with it. When noble lords talked thus of the constitution, and of the principles established by the Revolution, it was necessary to recur to definitions. Any man who knew any thing of the history of this act of parliament to which the noble baron had alluded, or of any other act, must be aware that they had been frequently altered and amended by

other acts of parliament ; and that it was a fundamental principle of the constitution, that the King, Lords, and Commons—that is, the king, with the advice of the two estates of the realm—possessed sufficient authority to make these alterations. That was the parliamentary government which was asserted at the Revolution of 1688. It was then insisted upon, and secured ; and the Protestant succession, a new principle, was then made fundamental and perpetual, as necessary for the safety and preservation of the constitution. That principle, was then declared, in order to render the Crown independent of foreign influence. The persons who conducted the Revolution, when they established the Protestant succession to the Crown, did not do so with a view to injure any individual or class of individuals, but with a view to secure the independence of the Crown. The differences between the Protestant and Catholic creeds had nothing to do with this great principle of the Revolution. The placing the succession in the person of a Protestant did not affect or interfere with the ancient rights of the people of this country ; and when the persons who framed the Bill of Rights found it necessary to secure the succession by such a provision, they did so to secure those rights of the people, and those great principles, which were recognized and asserted by the Revolution of 1688. It was a part of the constitution of this country, that the king had a right to the services of all his subjects, and that the people had a right to the services of all their fellow subjects. That was essentially a portion of the constitution of this country. When that alteration of the law which was so much wanted should be effected—when that miserable remnant of the penal code, the 30th of Charles 2nd, should be repealed, he was desirous to know from the noble lord upon what principle it was that the duke of Norfolk would take his seat in that House, and the people of Clare would place Mr. O'Connell in the House of Commons? Would it be an invasion of the constitution, or would it be effected by any new law? No such thing. They would be entitled to take their seats by the common law of England, and by the constitution of these realms. It might have been possible, that whatever restrictions were imposed or recognized at the period of the Revolution, were necessary laws at the time; but they

were so far an infraction of the constitution of England, as they were restrictions upon the lawful rights of the people, and the lawful prerogative of the king to the services of all his subjects. But it was thought safer then to impose those restrictions, and from the sense in which the words “ Protestant ” and “ Protestant Religion ” were used at that time, it was easy to perceive that they were intended as a declaration that the constitution of this country was independent, or, as the old lawyers had it, to signify the “ absoluteness ” of the Crown of Great Britain. When the 30th of Charles 2nd was passed, it would have been safer to have excluded James 2nd from the crown. “ He has,” says lord Shaftesbury, “ his Catholic peers, with whom he may take measures of council better than with the other peers admitted to this House.” It was his opinion, that the exclusion of James 2nd would have been a better safeguard than the enactment of those laws: it was his opinion, that it would be better to exclude a Popish king from the throne, since it was possible that he might be subject to an influence and a will existing out of the country, and that he might thus effect some injury to the state, for which the law afforded no punishment or redress. If a Popish king, he argued, were on the throne, he might call to his councils a man who might do something against the government, or against the liberties of the country, for which the laws provided no remedy. To prevent, then, this influx of foreign will, which might prove injurious to the interests of the state, and which in spite of the law might be turned to evil purposes by a Popish king, lord Shaftesbury surrounded him with Protestant councillors and a Protestant parliament. But now they had a Protestant king and a Protestant parliament, and if those laws were repealed, the parliament would still continue to be Protestant. The parliament would be chosen by the majority of the people, and the Catholics did not form that majority. In this part of the empire the representation was principally in the hands of Protestants. There would be an admixture of Catholics and Protestants in the parliament ; and that would then be a just representation of the people, on the same principle that the people who paid their taxes, and the armies that fought their battles, were composed of all

creeds and religions. He would only say, that if any one would come to chapter and verse with him, even the noble lord himself—who, if it were possible, would make any thing out of an act of parliament which no one else would ever suspect to find there—he would say, with every respect for the great legal knowledge, and acute understanding of the noble lord, that he would undertake to prove, against as great a lawyer as ever he was, that these acts of parliament were not settled at the Revolution; that what was then settled was the Protestant succession as it stood at present, and the right of parliament to limit that succession.—The noble lord on the cross bench had said, that if these laws were repealed, they must go to the House of Savoy for the claim to the throne of these realms. If they were sprung from a Protestant family, and a Protestant country, it would be treason to consider them as kings of this country. He wished to know from the noble lord on the cross bench what he meant by such allusions. He would have that noble lord know, that James was excluded from the throne, not because he was a Roman Catholic, but because it was decidedly known that, being a Roman Catholic, he was not a fit man to be intrusted with the government, and upon this fundamental constitutional principle—that the supreme power was not to be confided to a man who might employ it, under the influence of a foreign power, to the injury and detriment of the state. It was upon such a principle that parliament excluded him from the throne. The right of the king to the throne of these realms was built upon the fundamental principle of his being a Protestant, controlled in the exercise of that power by the anciently established rights of parliament. That was all the power which could be called legitimate power, in the true sense of the word. The whole political power of the country was lodged in the legislature. The supreme power in the country was lodged in those hands to which the legislature confided it. The parliament had confined the succession to the throne of these realms to the descendants of the princess Sophia, they being Protestants. The right was clear, and it would be treason to deny it. He felt he had exhausted their lordships and himself on this subject. These were matters to which he had not given his attention yesterday, or last week,

or last year. If he knew any thing of the constitution of the country—and he had made it his study by night and by day—he was ready to meet the noble lord, or any other noble lord, on this subject; and he would undertake to prove that those laws, instead of being sacred, immutable, and inviolable, formed no part of the settlement at the Revolution. They were recognized then, amongst other existing laws, but it was never intended that they should not be subject to the revision and alteration of subsequent parliaments. If the repeal of those laws should be a violation of the constitution, the noble lord must maintain that the Septennial act was a violation of it also; for parliaments were made triennial when the constitution was established in 1688. The right of representation in parliament was mentioned by the Bill of Rights, as one of the ancient and inviolable rights of the people of England; but the noble lord would contend, that the exclusion of the Catholics from parliament was one of the ancient and inviolable rights of the people of England. The Revolution of 1688 was to secure the Protestant succession, and to assert the natural and inalienable rights of the people of this country. One of those rights was the right of petition, and it was wonderful how little was said by some noble lords, who made so much noise about the repeal of exclusivis laws, about measures similar to that in progress in another place, which went to limit and restrain that right.

Lord *Colchester* begged to say, that the noble lord had misapprehended what had fallen from him. He did not say that the exclusion of the Catholics formed a part of the constitution settled at 1688. He had merely said, that the exclusion of the Catholics was made at that period.

Lord *Holland* did not well know the meaning of the noble lord. Until he defined what he understood by the word “made,” he could never arrive at his meaning. The laws to which the noble lord alluded were not made at the Revolution. The 30th of Charles 2nd was enacted with the prospect of James 2nd succeeding to the throne. That law was recognized and continued, but not “made” at the period of the Revolution.

The Earl of *Eldon* congratulated the noble baron on the recovery of his voice, for he had understood the noble baron to say, that he was so hoarse that he was

unable to speak. His noble friend on the cross bench had taken the opportunity of presenting a petition to express his own opinion of the recommendation in his majesty's Speech; but it was not necessary for him to do the same. Indeed if every noble lord on presenting a petition were to make as long speeches as his noble friend, there would be no occasion to act on the suggestion thrown out by one or two noble lords—of dissolving the parliament—for there would be no opportunity of bringing the Catholic question to a discussion. He would not then say any more; but if his noble friend would tell him when he meant not to be hoarse, he pledged himself to meet his noble friend, and shew him that the laws he had alluded to were parts of the constitution, as established at the Revolution.

HOUSE OF COMMONS.

Monday, February 16.

MINUTES. SIR JAMES MACKINTOSH deferred his motion concerning the relations between this Country and the Queen of Portugal, from the 19th instant to the 26th of March.—The Marquis of CHANDOS gave notice, that he would to-morrow move that the House be called over, on the 5th of March.—Mr. TENNYSON postponed his motion for leave to bring in a Bill to exclude the Borough of East Retford from electing Representatives to serve in Parliament. In the present state of public feeling respecting another and a more important measure which was about to come before the House, he could not, he said, expect that attention to his bill which its importance demanded.

ROMAN CATHOLIC CLAIMS—PETITIONS FOR AND AGAINST.]—The Marquis of Chandos said, he had been intrusted, by a large body of the inhabitants of Buckinghamshire, with a number of petitions against granting any further concession to the Roman Catholics. He would take that opportunity of stating to the House, as one of its members, that the great mass of the population of that county were perfectly aware of the danger which must be created, by relaxing the laws that affected the Roman Catholics; and that feeling and opinion had in no degree been diminished by the Speech from the Throne on the first day of the session. For his part, he should take every opportunity of opposing the contemplated measure. Having thus stated his determination, it was not his intention, on the present occasion, to combat the opinions of those who differed from him on this question, but he still felt, that parliament would act most unwisely if it sanctioned a change in a constitution, under

which England had flourished for so many years. He, for one, would resist such attempt; but should it ultimately be altered, he would be the first man to recommend obedience to the law. The noble marquis then presented petitions from about eighty towns and parishes in Buckinghamshire.

Lord Nugent said, he had not a word to offer against the respectability of the persons whose names were subscribed to these petitions. He therefore should not have spoken if the noble lord had not stated, that the great mass of the population of Buckinghamshire were firmly arrayed against the claims of the Roman Catholics. Now, as some of these petitions proceeded from places included within the hundred of Aylesbury, which he represented, he wished to state his entire conviction, that the noble lord laboured under a misconception, with respect to the general feeling which prevailed on this subject in those places. He should be the most ungrateful and insensible of men, if he did not inform the noble lord that he was labouring under a misconception on this point. He had never concealed his opinion with respect to the Catholic question. He had always avowed that opinion, and put it forward as one of the reasons for soliciting a seat in that House; and, with that avowal on his part, and that knowledge on the part of his constituents, he stood there as the representative of two thousand electors, who had returned him without a canvass, and without a shilling expense [hear hear]. He therefore felt it necessary not to let the statement, made by the noble lord, go forth without any remark; and it would be his pride and happiness, on any public occasion that might be afforded him, to bring this question to issue in the face of the country.

The Marquis of Chandos said, he would again assert, that the feelings of the county of Buckingham had not undergone any change as to this question, in consequence of his majesty's Speech. That there might be shades of difference in their opinions, he was willing to admit; but if the noble lord believed that the electors of Aylesbury were all with him, he would perhaps find himself mistaken. If he had stated any thing that could hurt the feelings of the noble lord, he was sorry for having done so; but he must be permitted to say, that the correctness of the position of the noble lord would, perhaps, be unfortunately

brought to the test at the next general election.

Sir *G. Warrender* thought, the noble marquis laboured under a complete mistake, when he said, that the general impression of the county was hostile to the claims of the Catholics.

Colonel *Sibthorpe* presented petitions from several parishes in the county of Lincoln, against the Catholic claims. He said, that there could not be a greater fallacy than to suppose that the feeling of the country was not hostile to those claims.

Sir *R. Heron* said, if that were the case, he should be glad to know how it happened that, out of fifty-two counties, only two had given any sort of opinion against those claims.

Colonel *Sibthorpe* replied, that the reason why there was not a more general declaration of the sentiments of the country was, that the people were not prepared for the Speech which had been delivered from the throne. It came quite unexpectedly upon the whole nation.

Mr. *Spring Rice* presented petitions from various parishes in the county of Limerick, in favour of Catholic emancipation. He would take that opportunity of announcing, that the Catholic Association had been dissolved [hear, hear]. This act of dissolution was most creditable to it; showing, as it did, their reliance on the wisdom of the legislature, and on the justice of their own cause. He hoped that other Associations in that country would follow its example.

Mr. *Sykes* presented a similar petition from Kingston-upon-Hull. He said, that certain petitions of a contrary nature had been presented by his hon. colleague. Now, if it were meant, that those petitions represented the opinion of the great body of the town, he would give such an assertion a complete contradiction. These petitioners were extremely respectable; but they were by no means numerous. Out of a population of twenty-five thousand, only five hundred had signed petitions against concession. The petitions, too, as he had been informed, had been signed by a number of children. The fact of his representing that place, was a sufficient answer to the statement, that the great body of the town was against concessions to the Catholics; for he had nothing to recommend himself to his constituents but his opinions, and had always thought and said, that policy and justice demanded that those concessions should be made.

Mr. *Otway Cave* said, with respect to the statement that the general feeling of the country was hostile to the Catholic claims, he begged to mention one fact, and leave the House to draw their own inference from it. The day before the opening of parliament, a meeting, consisting of several thousand persons, was held in the town which he had the honour to represent. At that meeting, a resolution in favour of the Catholic claims was proposed, and only one hand was held up against it: on the resolution being put a second time, that one hand was withdrawn. The town of Leicester had not always held such opinions, and it was fair to suppose that a similar change might have taken place in other places.

Mr. *John Wood* said, that a similar feeling prevailed in the town which he represented, and he now rose to make this statement, because the gallant member for Liverpool had said, that he should shortly have to present a petition from Preston against the Catholics. This statement had caused the greatest surprise in Preston. If any attempt were made to get up a petition against the Catholics at Preston, it would be met by a counter-petition, signed by overwhelming numbers.

Mr. *Macleod* presented three petitions from Sudbury, against concession to the Catholics. He said, he regretted sincerely that the right hon. Secretary had changed his opinions upon this question, and gone over to the ranks of his political opponents. At the same time, he respected the sincerity of the right hon. gentleman, and was satisfied that he had adopted the change from a conviction of its necessity. His own opinion, upon this question, was recorded in his vote upon it, and he had seen nothing since he gave that vote, to induce him to alter it. The proposed measure was manifestly a change in the constitution, which he should be most reluctant to sanction. With regard to the difficult situation in which government was placed, the country itself was, in a great degree, responsible for creating that difficulty. What he alluded to was, that in many counties—for instance, in the county of Kent—by a compromise of interests, the vote of one member was suffered to neutralize the vote of the other, and thus the real expression of the sentiments of the country were not represented in parliament. It was not too much to say, that this practice of returning members of opposite sentiments on this

great question, for the purpose of avoiding the disturbance of a contested election, had been acted upon in twenty-six counties. For his own part, although he was not aware of the precise measure which it was the intention of government to bring forward, he did not think that there was any measure of this nature, to which he could, consistently with his duty, give his assent.

Mr. *Robert Palmer*, in presenting several petitions from Berkshire, against further concessions to the Catholics, said, he trusted the House would excuse him if he trespassed for a few moments on their attention. He had hitherto entertained the opinion, that the admission of Roman Catholics to places of trust and power, and, above all, to seats in that and the other House of parliament, would be inconsistent with the principles of our Protestant constitution, and fraught with danger to the tranquillity of the empire; and in accordance with that opinion, he had always opposed any further concessions to them. But he had never either said or thought, that a time might not arrive when it would be expedient to take the question into consideration, and not only to take it into consideration, but to take it into consideration with a view to its satisfactory adjustment [Hear, hear !]. The question came before them at present in a shape totally different from any which it had before assumed. It came recommended to parliament by his majesty in a Speech from the Throne. Having been in the habit of looking up with confidence to the ministers to whom the government of the country was at present confided, he would not be so prejudiced in favour of his own opinion, as to declare at once, and without hearing what the measure was which it was intended to propose, that he would be hostile to it. He was quite ready, therefore, to take the subject into the fairest consideration, divesting himself, as much as possible, of all prepossession, and entertaining a hope, although he confessed not a very sanguine one, that it might be practicable to frame a measure satisfactory to both parties. At all events, he would vote for that course which, upon a balance of circumstances, should appear to him to be most conducive to the best interests of the country.

Mr. *Ashurst*, in presenting a petition from the archdeacon and clergy of Oxfordshire, Whitney, and a third from a parish in Oxfordshire, against fur-

ther concession to the Roman Catholics, observed, that he entirely concurred in the prayer of the petitioners. What further information on the subject the right hon. Secretary of State, or any other member of his majesty's government might have to communicate, he knew not; but at present he saw no reason for changing the opinions which he had always entertained on this important question. At the same time, he entirely concurred with the hon. member for Louth, that if the question was to be conceded at all, it should be conceded on Protestant principles. He had it, not from Mr. O'Connell, or from any other individual, but from the great body of the Roman Catholics of Ireland, that emancipation from civil disabilities was not their sole object; for, in their petition, in the year 1824, they expressly stated, that one of the grievances which they principally felt was their being compelled to pay for the maintenance of a Church of which they were not members. He conceived, therefore, that no bill would prove satisfactory to the Roman Catholics, which did not relieve them from that grievance. It was by no means, however, his intention to offer a pertinacious opposition to whatever measure his majesty's government might introduce. Of the purity of the motives by which the right hon. gentleman, under whose auspices the proposition was to come before the House, was actuated, he felt perfectly convinced; and he thought it exceedingly fortunate, that the right hon. gentleman was to have the charge of the measure; being well assured that all that human prudence could do to guard against the serious evils which might arise from it would be done by him.

Admiral *Evans* presented a petition from the Protestant inhabitants of Wexford, against further concession to the Roman Catholics. The petitioners stated, that at the late election the Catholic priests had conducted themselves in such a manner as to shew the danger of a union of civil with spiritual power. Having the honour of representing the town of Wexford, he hoped he might be permitted to say a few words on the subject. Every one must recollect the horrible circumstances which occurred in that town in 1798. It was impossible that the Protestant inhabitants could bury those circumstances "in oblivion." That, however, was an expression, the exact inter-

pretation of which might be misconceived ; since it had appeared, on a recent occasion that burying a matter “ in oblivion ” meant bringing it immediately under the recommendation of the Crown [a laugh]. He was sure that the measure to be proposed by government would not prove a measure of conciliation ; for the Catholics had declared, that nothing but unconditional emancipation would satisfy them ; and unconditional emancipation would never satisfy the Protestants. And if either party must give way, ought it not to be the party which formed but a fourth or a fifth part of the population of the empire, rather than the party possessed of so large a majority of numbers, and by which a family had been expelled from its Throne for their adherence to Catholic principles ? He had heard, the other night, an hon. member (Mr. Butler Clarke) say, that he should be glad to see a Catholic in his place in that House. If the hon. gentleman had but a little patience, his wish no doubt would be gratified, and a Catholic would not only have his place in that House, but in the country also. As a member of a Protestant community, and as a Christian, he must, in consistency with the oaths he had taken on entering that House, oppose the granting of any further power to the Roman Catholics.

Lord *Nugent* rose, to present several petitions from different bodies of Roman Catholics in England, one joint petition from Roman Catholics and Protestants, and the general petition of the Roman Catholics of Great Britain, signed by eight peers, sixteen baronets, and 18,000 other persons, praying for relief from the civil disabilities under which they laboured. In less auspicious times, it was his pride to have been intrusted with similar petitions ; and he might therefore be pardoned, if he said a few words upon this occasion. On former occasions, he had begged the attention of the House to the prayer of the petitions, and had declared their reliance on the patient consideration, and the ultimate justice of the House. His present address came recommended to them by this consideration—that he trusted, by the blessing of God, this would be the last time on which it would be necessary for him to trouble them on this theme. He could truly say, that the general petition which he was about to present was from a most illustrious and respectable body of petitioners ; and he should not

do them justice, if he did not state that their petition was for total and unqualified admission to an equality of civil rights with their fellow subjects. They felt that less they ought not to have ; and that if they were to petition for less, they should betray their duty to themselves, and to the memory of their ancestors. On that point the petitioners had been completely misrepresented. It had been most erroneously stated, that the English Catholics were so inconsistent, that while they prayed for one thing, they expressed their readiness to accept another. He was proud to say that such was not the case. They did not petition for one thing, and express their readiness to accept another ; but they felt what they stated—namely, that they were entitled to a total and unqualified admission to all the privileges of the constitution. At the same time, however, they felt that they were bound to throw themselves, and they did throw themselves with perfect confidence, on the justice of parliament and of the country ; and were persuaded, that in passing an act of equal justice and policy in their behalf, the legislature would not accompany that act with any provisions injurious to their honour, their rights, and their religious feelings. He must, however, be allowed, on the other hand, to say, that he thought there was no sacrifice short of trenching on the great principle of full emancipation, which the friends of the Roman Catholics ought not to be prepared to make, with a view to meet the apprehensions and scruples which, although they did not entertain them themselves, were, they well knew, entertained by a large portion of the community. He trusted that no captiousness would be exhibited by either party ; but that the cause of justice and of liberality would triumph. Above all, he implored the House, for Heaven's sake, to let the measure, which they were about to adopt, be of a character that should render it complete and final ; and not to burden it with provisions, that should be injurious to the feelings of those for whose benefit it was intended. It would be a great injustice to the right hon. Secretary opposite to suppose that it was his intention to introduce any such obnoxious provisions. That right hon. gentleman had already made too many sacrifices to warrant any such supposition ; but, without being suspicious, it might be forgiven to the friends of the Catholics, if

they watched with some anxiety the nature of the propositions that would soon be submitted to parliament. Let the act be an act of grace and of kindness. Let it be an act that will enable us to withdraw from Ireland that immense garrison of troops, which was as burdensome to this country as it was frightful to that. Let it be an act which shall render loyalty and attachment to the constitution the guardians of the tranquillity of the sister kingdom. Above all, let it be an act which shall permit a Roman Catholic gentleman to conform to its provisions, without being subjected to the charge of being actuated by improper motives. Then, and not till then, would Ireland be saved, and Great Britain rendered powerful and happy. He must beg to remind the House how the great question of emancipation had been supported by the most eminent men that had ever contributed to the welfare and glory of this country. The cause of emancipation had been adopted and supported by the great lord Chatham; it had been enforced by the commanding voices and by the statesman-like talents of Burke, Pitt, and Fox; it had been cherished by the severe but generous philosophy of Windham; by the devoted patriotism of Grattan; and by the brilliant eloquence of Canning. He might also, perhaps, be allowed to allude to another individual, and to say that the question had been much advanced by his uncompromising, steady, faithful advocacy: and though now compelled by ill-health to retire from public life, he was at the present moment watching its progress with all the eagerness and intensity of youthful hope. Need he mention lord Grenville? The cause which received the support of any one of the statesmen he had mentioned must be respectable; but that which obtained their united advocacy was rendered illustrious. This question, with its host of great supporters, might be compared to a crown set round with choicest stones; but one gem until lately was wanting. The right hon. gentleman opposite having become one of the supporters of the measure, the circle was now filled up and the crown complete. In taking leave of the petition which he had for many years presented and advocated to the best of his humble abilities, it was gratifying to reflect, that before long he might be able to hail the appearance in that House of the Howards, and the Jerninghams, restored to a full

participation in the privileges of that constitution which their ancestors framed.

Sir C. Cole said, he was desirous to express his sentiments with respect to the question. On a former evening, an hon. member had expressed a hope that the measure about to be brought forward for the relief of the Catholics, would not be fettered by useless securities. Another noble lord had followed this up by saying, he hoped the measure would not be clogged by securities. Now, he, as the representative of a highly respectable county, declared, in opposition to these sentiments, that he certainly would not vote for any measure which might be brought forward for the purpose of relieving the Roman Catholics from their disabilities, unless it was accompanied with ample securities in favour of the Protestant Church and establishments. It had been triumphantly asked, why those who called for securities did not state what kind of securities they wanted? At the risk of exposing himself to odium, he could declare that he would not vote for any measure of relief, unless the strongest securities should be furnished against the power of the Papal Church. If he was asked, why he demanded securities against that power, he would reply by directing attention to the effects of that power as they had appeared in Italy for ages—as they exhibited themselves in Spain at the present moment, in the persons of a degraded nobility and a debased population. This was entirely owing to the influence of the Papal Church. Look at the present state of Portugal. Had not the deplorable situation of affairs in that country been produced by the power of the Papal Church? He had no wish to offend the feelings of the inhabitants of the sister kingdom, in alluding to the events which had taken place in that country, but he could not help attributing much of the mischief which had occurred there, to the predominant influence of the Popish church. He had always voted against conceding to the Catholics the removal of their disabilities, and for this reason—that he had never seen, until the present moment, any inclination on the part of the Catholics to meet Protestants with any conciliatory measure. He looked at what had recently occurred in the sister kingdom, with much satisfaction. As an officer who had served his country for fifteen years in an honourable profession, it was impossible that he should feel any disin-

clination to remove the civil disabilities which pressed upon a great body of his countrymen, if he was satisfied that it could be done with safety. He must say, that when it was the question, to serve king and country, he had never found it necessary to inquire whether the men under his command were Catholics or Protestants. He could not sit down without adverting to the conduct of the right hon Secretary below him. He believed the right hon gentleman to have been actuated by the purest principles of patriotism; and when he looked at the noble duke at the head of the government, he could not think it extraordinary, that the man who shed tears of humanity over the carnage of Waterloo, should shrink with horror from the prospect of spilling the blood of his fellow-countrymen [hear.] Again he would say, that provided the removal of disabilities from the Catholics were accompanied with sufficient securities for the Protestant interest, he would cordially support the measure about to be introduced by government.

Mr. *Rickford* said, he felt himself called upon to declare, in allusion to what had fallen from his noble colleague, respecting the sentiments of the electors of Aylesbury, that he had canvassed every one of them, and could safely say, that fifteen out of every twenty were opposed to the Catholic claims.

Mr. *Huskisson* said, he was not going to enter upon the great question; but, as the present was probably the last of the many appeals which had been fruitlessly made by the Roman Catholics of England to the justice of parliament, he trusted he might be permitted to offer a very few words on the occasion. The prospect which was now opening to the nobility and gentry of this kingdom, professing the Roman Catholic religion, must be in the highest degree gratifying to every unbiassed and generous mind. Looking at the conduct of the English Roman Catholics apart from the merits of the Catholic question, no man, he thought, let him be ever so uncompromising an opponent to concession could feel, that whatever might be granted to them had arisen from feelings of intimidation. No man could be so mistrustful or unforgiving as to tender the boon, about to be offered to the Roman Catholics of England, with any thing like reproach or misgiving, with respect to what their conduct had been, during the

long period that the question had been under the consideration of parliament. The friends of emancipation could not behold English Catholics admitted to the privileges of British subjects, without feelings of satisfaction, unalloyed with any regret or apprehension of evil consequences. To the petition before the House were annexed names the most ancient in the peerage—of the highest rank in this ancient and powerful state. The families to which those names belonged had seen generation after generation pass away with the stigma upon them of a bill of perpetual pains and penalties—with the blight of the perpetual forfeiture of the privileges of the constitution, and of the honours which their ancestors had earned from the gratitude of former sovereigns. It was impossible not to feel for persons in the situation of the English Catholic peers, exposed for so long a time to unwarrantable privations. So far as the English Catholics were concerned, it was not necessary that relief to them should have been preceded by any measure of precaution. It was not necessary to meet them with a bill of conciliation in one hand, and a bill of severity in the other. To them much should be given, because from them, looking at their conduct, more had been withheld than from any other portion of his majesty's subjects. If any man was conscious that his hostility to concession arose from the violent proceedings which had occurred in Ireland, he would say to him, in the name of the English Roman Catholics, "Let the conduct of the latter propitiate every angry feeling, and induce you to forget all that has passed." He was convinced, that the Catholics would by their future conduct amply discharge the debt of gratitude which they would owe to the Crown and the legislature. He could not refuse to himself the pleasure of bearing testimony to the character and conduct of the English Roman Catholics, and of heartily congratulating them on the prospect now opening on them, soon, he trusted, to be realized.

Mr. *Trant* denied what the right hon member had advanced in favour of the English Catholics, and begged the House to recollect, that the conduct and measures of the Irish Catholic Association had been approved of at a meeting of the Catholics of England. He was an Irishman, and was not at all inclined to bear too hard upon his own countrymen for what was

called agitation, considering the encouragement held out to them in various ways. By the want of attention on the part of government at the commencement of the agitation, he was not at all surprised that it had arrived at that pitch which had compelled government to do something which was generally called submission. A spirit had been shewn, on the part of the Catholics of England, which led him to think, that if they had been placed in a situation equally favourable to agitation with the Irish, their conduct would not have been very different. One word as to the little danger to be apprehended from the admission of English Roman Catholics into parliament. His objection to it, with or without securities, was this—that he knew from all experience, that in that House, “a little leaven leavened the whole lump.” He was, what was called, a good sitter in the House. He came early and remained late, and he was fully aware how much might be effected by a very few members, when animated by a common spirit in support of a common object. Upon this point he might be allowed to quote the words employed by the right hon. Secretary (Mr. Peel) in 1817. They were as follow :

“It is observed by Hume, when speaking of the reigns of James I. and his successor, that religious spirit, when it mingles with the spirit of faction, contains in it something supernatural ; and that, in its operations upon society, effects correspond less to their known causes, than in any other circumstance of government. And this, says he, while it constitutes some apology for those who, having interfered in religious matters, are disappointed of the expected event, imposes at the same time a grievous responsibility on all who lightly innovate in so delicate an article”*

That had always been his chief reason for opposing what was called emancipation. It was not without great pain that he found himself compelled to withhold from any portion of his fellow-subjects, the privileges which he himself enjoyed ; but, being fortified in the opinions he held by the experience of all history, he must, however reluctantly, continue to oppose concession to the Catholics. He would conclude by quoting the remainder of the passage, to which he had already referred in the speech of his right hon. friend :

“This reflection, says Mr. Hume, is confirmed by all history ; and may it be a warning to us how we proceed to unsettle that which we find established. Let us recollect, that under the constitution which we have derived from our ancestors, we have enjoyed more liberty, we have acquired more glory, we possess more character and power, than has hitherto fallen to the lot of any other country on the globe ; and if there be any man yet undecided on this question, I entreat him that he will give the benefit of his doubt to the existing order of things ; and that, before he gives his vote to a measure, of the consequences of which he is at least uncertain, he will weigh the substantial blessings which he knows to have been derived from the government, that is, against all the speculative advantages which he is promised from the government that *is to be*.”

Dr. Lushington said, that nothing but the profound ignorance of the hon. member who spoke last, nothing but his total and entire want of knowledge of what had occurred during the last thirty years, could plead an apology for the false and unfounded aspersions, which he had cast upon the Catholic nobility and gentry of England. If the hon. member had had the good fortune to reside in this country, instead of spending his days in an eastern climate, he would have known that, during the eventful period of the last thirty years, when the passions of all Catholics were raised and agitated by the alternations of hope and fear,—during that whole period, on no one occasion had the Catholics of England expressed, in any single instance, a degree of violence and irritation, or evinced any one feeling of the human mind, which did not do honour to their patience and endurance. During all that period they had been bound down by penalties, not only equal in severity to those which prevailed in Ireland, but still more powerful—by restrictions still greater and less justifiable on every principle of justice and sound policy. These, however, were the individuals to whom the hon. member was inclined to ascribe every disposition, if they possessed but the power, to do evil ;—of whom he knew nothing, of whom he had no experience, and whose whole conduct had been a system of patience and endurance under disappointed hope. Born to rank—entitled, by their services in the army and navy, to have risen to those high offices in the state, those dignities and

* For Mr. Peel's Speech on Mr. Grattan's Motion, in May, 1817, See First Series of this Work, vol. xxxvi. p. 422.

employments which were the great objects of ambition in every country to every honourable mind, they yet bore their privation of those benefits with unexampled patience, contenting themselves with presenting the most humble, moderate, and reasonable petitions to that House. If in the sister country, where education was more limited, and knowledge less, there had been agitation, and the passions of the people had been carried beyond the bounds of expediency, and even of propriety, that example had never been followed by the Catholics in this country. On the contrary, he had ever considered the conduct of the latter worthy the greatest praise which a thinking mind could bestow upon it. Would the hon. member, if it had happened to him to have inherited the Catholic religion from his ancestors—to have seen all his hopes of rising in the world blighted—to find that no exertions, no honourable services, could raise him beyond the level to which injustice had assigned him—would he have displayed as much patience as the English Catholics had done? He would advise the hon. member, when next he had the courage to vent his unfounded accusations, to acquire some little knowledge whereon to build them, and not to asperse persons respecting whose character and conduct he was utterly destitute of information. The hon. member had ended his speech in a manner quite worthy its commencement. With the littleness and shallowness which distinguished a mind that was narrow, he had endeavoured to twit the right hon. Secretary with a garbled extract from a speech which he had twelve years ago delivered. He was convinced that the right hon. gentleman had a mind infinitely superior to taunts so petty. Conscious of having discharged a great duty to his country, he was not a man to be turned aside, or even nettled by such insignificant, puny, and contemptible taunts. Was the right hon. gentleman, after having made sacrifices which the hon. member could not even comprehend, to be lectured by him? He had abstained from saying one word with respect to the great measure in progress, and he intended to have done the same with respect to the course which the right hon. gentleman had pursued; but if the right hon. gentleman was to be attacked by the hon. member for Dover, he hoped he would estimate his attacks as they deserved. He had heard the various

accusations preferred against the right hon. gentleman. He had heard him charged with inconsistency on the one hand, and with the love of place on the other. In his humble judgment, the right hon. gentleman had been guilty of neither. That opinion, undoubtedly, could not be formed on the principle of favour; for, when the right hon. gentleman had sat on one side of the House, he had invariably sat on the other. He, however, knew of no inconsistency in varying the means to attain the same end. He saw no inconsistency, when the right hon. gentleman's object was to preserve the integrity of the Protestant church, in his resorting to Catholic emancipation as the means. The House had been told, that there was no change of circumstances,—that the circumstances which the right hon. gentleman had detailed, were the same which had occurred before; but, in the name of common sense, was not the very continuance of those circumstances a change? He would ask any man, whether it did not prove, first, that the causes of the disturbances were permanent; and, secondly, that the remedies which had been attempted to be applied, had failed? He would ask, whether a government which was desirous of preserving peace with foreign countries, might not, without inconsistency, feel itself called upon to declare war, in order to attain their object more effectually? In the physical, as in the moral system, remedies were frequently resorted to in the last extremity, which at the commencement of the disorder would have been most deprecated. With respect to the right hon. gentleman's remaining in office, he would say, that if he had resigned his office, he would have deserted his duty, and betrayed his country. If his advice to bring forward the measure of emancipation had been honestly given and accepted by the Crown, if he had then withdrawn his authority and power,—if he had been guilty of the cowardice, the pusillanimity, and, he would add, the baseness, for the sake of continuing at the head of a great party, to abandon his office, and thus have deprived the government of the most effectual means of carrying the measure, he would have pronounced him a traitor to his king, and to the best interests of his country. The right hon. gentleman's continuance in office was the best test of his sincerity, and of the great sacrifice he could make for the public good. He well

knew how the right hon. gentleman had stood, and now stood, in the estimation of the country. He knew that he had been considered the leader and head of a great and powerful body, comprising much of the old aristocracy, and of the great body of the ecclesiastical establishment. It was, indeed, a matter of pride and glory to be the head of such a party. Differing as he did in opinion from that party, still he must acknowledge that its rank, talent, and respectability, rendered it a fair object of ambition in any man to be at its head. The right hon. gentleman had abandoned that eminent station. That was, indeed, a sacrifice. He could hardly restrain his indignation when he heard it insinuated, that it was attachment to office which kept the right hon. gentleman in place. Above all men living, he could have no such object. Compared with being at the head of a great and powerful party, if his principles would have permitted, the holding of office must be to the right hon. gentleman but as dust. The right hon. gentleman had given notice of his intention to vacate his seat for the University of Oxford, and he perceived that many persons whom he had the honour to know, of great character, learning, and respectability, had declared their determination to oppose his re-election. Giving those gentlemen all possible credit, he believed that, if the question to be decided were between the merits of the Roman Catholic and the Protestant religion, there could be no better tribunal to refer it to, than that which they composed; but when the question was one of a political nature,—when the interests of the state were at stake,—when the settlement of it required a knowledge of every thing connected with the subject, required liberality of mind, and feeling, and above all, required the recollection, that the great aim of all was peace, and the preservation of the country's establishments, he must confess that he could pay no great deference to the determination of the individuals to whom he had alluded. Men even with their opinions and feelings, if they could see and understand at all, must be aware, that the question of emancipation should not stand over for a single day. Considering that the question about to be decided at Oxford, was not whether the opinion of the Catholic emancipators, or of the Catholic oppressors, was the right one, but only who was the fittest person to represent the University, he

thought they could not do themselves more honour than by re-electing the right hon. gentleman. Elect whom they might, they could find no one capable of giving greater proofs of talent, and honourable principle, than their present representative.

Mr. Secretary *Peel* said, he was indebted to the courtesy of his hon. friend (Mr. Trant) for a copy of the speech, an extract of which he had read as a warning to him against the course which he was pursuing on the present occasion. He had no doubt that it was not the intention of his hon. friend to wound his feelings by the reference; but, in one sense, he might be said to have done so; for as his hon. friend had found only one strong passage in the whole, he owned he was ashamed at having made so bad a speech [a laugh.] But, the very passage by which his hon. friend had meant indirectly to reproach him, and to confirm his own views of continued resistance to Catholic emancipation, would apply to the present circumstances, and to the course he was now taking. He would ask his hon. friend to look to the state of Ireland, and say whether the state of political excitement into which it was cast, from one end to the other, was a state in which it ought to be allowed to remain. Let him ask himself seriously, if such a state of things as put party against party,—Catholic against Protestant,—as placed the House of Lords, as it were, in opposition to the House of Commons,—whether that was a state in which a nation ought to be allowed to remain, without a hope being held out that there was to be no settlement of the question which created such division? Was not that, he would ask, a state to which the opinion of Mr. Hume, which he had quoted on the occasion referred to, would well apply? Mr. Hume, he had observed, when speaking of the reigns of James I. and his two successors, said “that a religious spirit, when it mingles with the spirit of faction, contains in it something supernatural, and that, in its operations on society effects correspond less to their known causes, than in any other circumstances of government.” It was because he (Mr. Peel) saw that a spirit of religion had mingled with a spirit of faction, and that from this mixture he foresaw consequences upon which no man could think without just apprehension, that he had come to the conclusion, that it would be better for the security of Protestant interests and the safety of Protest-

ant establishments, to come to an amicable settlement of the question, rather than allow it to remain in its unbalanced state. It was because he feared the consequences of leaving it unsettled that he had taken the course which his hon. friend had blamed as inconsistent. As his hon. friend had been studying the speech to which he referred, would he allow him to state, with reference to the allusion made to the British Catholics, that now, in the altered state of circumstances, he looked back with pleasure to the fact, that though he had felt it his duty to give his decided opposition to any further concessions to the Catholics of Ireland, he had not evinced an uncompromising resistance; for he had advocated the extension of the privileges of the Roman Catholics of England? In adverting to the opinions of his hon. friend on this question, which he fully admitted were dictated by the purest motives, he would beg of him to consider attentively the principles on which he had stated and evinced his opinion, that an opposition to the measure ought to be candid; and as his hon. friend had done him the honour to notice his speech, he would venture to assure him, that his opposition would not be the less effectual, if its tone and temper were more in conformity with the spirit and principles of that speech. He would particularly call the attention of his hon. friend to the passage of the speech which he was about to read,—

“I will avoid, as far as possible, every topic which can tend to inflame or even to give offence. I will not revive the memory of ancient struggles for ascendancy; and if any advantage to my argument might be derived from dwelling on instances wherein power has been abused, or revengeful feelings have been indulged, that advantage I cheerfully resign. I will not impute to the Roman Catholic Church any doctrines which are not avowed; and I will give to the professors of that faith, the full advantage of every disclaimer they have made. If the privileges required are to be conceded, I have no wish to lessen the grace of concession. If the hopes of the Roman Catholics shall be disappointed, that disappointment I will not aggravate.*” Under the altered circumstances, in which, with reference to this question he now stood, if he should be reminded of his uniform

opposition to it heretofore, it was no inconsiderable satisfaction to him to have placed in his hands such a record of the spirit and temper in which that opposition was conducted.

Mr. *Trant* said, he had risen merely to remark on the comparison made by the right hon. member for Liverpool between the English and Irish Catholics, and to set the House right on that point. As to the speech of the right hon. Secretary, he had taken it in the sense in which it was used on the occasion referred to; and he owned he had felt much convinced by the arguments which it contained.

The Earl of *Uxbridge*, in presenting petitions from Anglesey, Holyhead, and other places in Wales, against further concession, observed, that in stating his concurrence in the prayer of the petitions, he could not but express his surprise and regret at the measure which the noble duke at the head of the government had proposed to parliament, more particularly after the letter on the subject which he had written to Dr. *Curtis*. He could not avoid expressing his decided opinion, that the noble duke had deceived both Protestants and Catholics.

HOUSE OF LORDS.

Tuesday, February 17.

ROMAN CATHOLIC CLAIMS—PETITIONS FOR AND AGAINST.] Earl Beauchamp having presented a Petition from the city and county of Worcester against granting any further Claims to the Roman Catholics,

Lord *Lyttleton* said, he had seen it announced, that a petition had been adopted at Worcester against the Catholic claims, which had received the signatures of several respectable individuals there. But on looking at the petition presented by the noble lord, it would, he believed, be found, that the name of no one person of considerable rank or property in that county had been affixed to it: It was not, in the ordinary sense of the word, a petition from the county of Worcester: no public meeting had been held for the purpose of adopting it. The fact was, that three or four persons, with whom the petition originated in Worcester, sent it about to the various towns in the county for signatures, and about five thousand names were obtained for it, in that way. He would leave it to

* See First Series, V. xxxvi. p. 414.

their lordships to determine what weight was due to a petition thus got up.

Earl *Beauchamp* said, that to this petition were affixed the signatures of the majority of the clergy in Worcester, and of forty seven-magistrates.

The Earl of *Falmouth* said, he rose to present two petitions from two considerable places in Cornwall, and another from Truro, against the Catholic claims. To these three petitions there were affixed as many signatures as there were to the counter-petition from Kent, presented by a noble lord on a former evening; namely, one thousand seven hundred. In presenting these petitions he wished to advert to some observations made on the occasion of the presentation of the Kent petition, by a noble earl (Grey) whom he now saw in his place. That noble lord had inferred, from the circumstance of the last election for Cornwall having been in favour of a gentleman whom he described as an advocate of reform and Catholic emancipation, that a vast portion of the inhabitants of that county were favourable to concession. The truth was, there was no majority in favour of Mr. Pendarvis at the last election, for, in point of fact, there had been no contest. These petitions were better evidence of the feelings and opinions of the inhabitants of that county, and they contained the signatures of a vast number of those who would have supported the gentleman to whom the noble earl alluded, had there been a contest. The inference, therefore, which the noble earl had drawn from the circumstance of that gentleman's election was not borne out by facts. The noble earl had also enumerated the various majorities by which the Catholic question had been carried in the other House of parliament during the last twenty-years and he had inferred from thence, that the Catholics had gained ground in public opinion. Surely the noble earl must bear in recollection, that in that House, in the year 1812, there was a majority of only one against taking the Catholic claims into consideration, and that last year the majority against the question amounted to forty-five. He would beg their lordships to recollect that this majority had voted against the question, after several individuals had been introduced into that House, who were known to possess sentiments in favour of the Roman Catholics. The noble earl had stated,

that they had but to exercise a choice between evils, and that one of these was the breaking up of the present administration. They certainly had, thanks to the course pursued by those who had brought about the present crisis, left them nothing but a choice between evils. He was aware, that the breaking up of the noble duke's administration would be a great evil. He was also aware that the moral effects produced in the country by the extraordinary change which had taken place in the councils of his majesty formed also a very great evil. But the greatest evil of all, in his opinion, and in the opinion, he was sure, of the vast majority of the people of England, would be the yielding up of that glorious constitution, for the preservation of which their ancestors had bravely shed their blood. He would read from the petition a passage which forcibly bore on this topic. The petitioners stated their solemn conviction "that the prosperity with which it had pleased the Almighty to bless this country was solely to be attributed to that basis of pure religion on which the constitution rested; and that though they should be always ready to meet their Catholic countrymen in the true spirit of Christian charity, they had too high a sense of the blessings which the Revolution had conferred on this country, ever to relinquish the Protestant ascendancy in church and state." The noble lord said, he perfectly concurred in these sentiments of the petitioners. He should certainly consider the breaking up of the noble duke's administration a great evil: but, there was another, and a far greater evil to be avoided; and he for one, could never consent to sacrifice those leading principles of the constitution which he valued above all other things. When the vessel of the state had been steered upon a sunken rock, were they to think only of the masts, or even of the rudder? Should they not rather devote all their efforts to save the ship itself? Should they once succeed in saving the ship itself, when he looked at this great nation, abounding with forests of oak, he did not for a moment doubt but the ship would be hereafter righted and refitted. He had no doubt but that she would again weather all storms, and ride triumphant on the surface of the ocean. But, if they confined their attention to the preservation of the masts or rigging, the vessel was irrevocably gone. He was so strongly convinced of

this, that he could not take any other course than that which he had determined to pursue. He regretted to perceive that the change which had occurred in the opinions of the noble duke's administration had not originated in principle, but appeared to be founded upon intimidation. As he understood intimidation it was this—When a man said to you, "You shall do this;" and you reply, "I will not do it," and he says, "You shall do it:" if you yielded to his request under such circumstances, it certainly appeared to him that you yielded to fear and intimidation. He spoke only of political fear; for it was not to be supposed that the noble duke could be actuated by any other species of fear. But, looking at his conduct, he must say that the noble duke appeared to have yielded to political intimidation.

Earl Grey said, that in the first place, with regard to the county of Cornwall, the noble lord supposed that he (earl Grey) had said, that the circumstance of Mr. Pendarvis's election for that county proved that Cornwall was favourable to the Catholic claims. Now, if he recollected rightly what he had said on that occasion, it was this—that the circumstance of the election of Mr. Pendarvis proved, that the county of Cornwall was not so generally adverse to the Catholic claims as a noble lord had represented it to be, and that conclusion he would still maintain. The noble lord seemed to think that he (earl Grey) had no right to assume that the great majority of the county were in favour of Mr. Pendarvis, because, said the noble lord, there was no poll on that occasion. Now, he believed that the circumstances attendant upon that election were these—Mr. Pendarvis, the popular candidate, came forward to contest the county upon public principles. It was well known that he was favourable to parliamentary reform, and an advocate of Catholic emancipation. What was the consequence? Why, that on his appearance all opposition gave way. Another candidate had been proposed, and it was the intention of some persons to support him, but they did not dare to go to a poll, and Mr. Pendarvis was triumphantly elected for Cornwall, as their popular representative. So far there were material reasons for believing, that the people of Cornwall could not be adverse to that measure to which the noble lord was so strongly opposed.—The noble

lord had, in the next place, referred to the various divisions which had occurred in the House of Commons during the last twenty years upon the Catholic question; and he had denied the justice of the inference which he (earl Grey) had drawn from those divisions. He certainly had stated, that the House of Commons had, through a series of years, repeatedly decided in favour of the question; and he had argued that this fact proved that the opinion of the House and of the people of England were in favour of the question. The noble lord said, that the House of Commons had decided in favour of the question in 1807 by a majority, and that this majority had subsequently dwindled down to 2, 4, and 6. The noble lord should have attended to the particular nature of the measure on which the House was in such instance called upon to decide, and the circumstances under which that decision was pronounced. Unless his memory deceived him, in 1817, when the majority amounted to 129, there were but three hundred members present. On all other occasions when the House decided on the question there were more than five hundred members in attendance. Indeed, in several instances nearly six hundred members voted. This fact furnished a still stronger proof that the opinion of the House of Commons was in favour of the question. He professed the same opinion which he had always maintained, that there were defects in the system, and that the House of Commons was not a full and fair representation of the people. But he had never been madman enough to contend, that the House, constituted as it now was, was not, in the long run, materially influenced by the expressed opinions of the people. With respect to the House of Lords, the noble lord had stated, that in 1812, it decided against the measure by a majority of 1, and that last year the majority was increased to 45; and this, the noble lord contended, was a strong proof that the question had not gained ground in that House, notwithstanding the admission, in 1827, of several peers favourable to Catholic emancipation. In the first place, the noble lord had not drawn a fair inference as to the public opinion even as expressed in that House. In his account of the majorities which had appeared against the question he should have stated, not the number of peers

that were made in 1827, but the whole number that had been created during the last twenty years. He believed that fifty new peers had been created during that period, and that the great majority of them were adverse to Catholic emancipation. That fact would of itself, in some degree, account for the increase in the majority against the question in that House. The noble lord had argued also on the supposition, that the majority of the peers created in 1827 were favourable to Catholic concession. He believed the fact was the other way; that the majority of the peers created in that year were hostile to the Catholic claims. The noble lord was, therefore, as little supported by facts in that as in any other part of the subject. With regard to other matters in the noble lord's speech, he should refrain from noticing them, until the great question should come before them for discussion. But this he would say, that the noble lord's views and his own, as to the best mode of supporting the constitution, were materially different. No doubt, the noble lord wished to support what he considered the essential principles of the Protestant constitution, and with that view he would refuse to concede the Catholic claims. Now, he, on the contrary, was of opinion, that the only security for the constitution, and of the power and prosperity of this country, consisted in the concession of those claims, in a liberal and satisfactory manner—in such a manner as would give satisfaction to the people of Ireland, and put an end to those contentions and divisions which distracted the empire, and endangered the constitution. In illustrating his opinions in reference to the constitution, the noble lord had used a Cornwall metaphor, and had asked, who would think of the masts when the hulk was in danger? He never before had heard, that when the vessel was reduced to a hulk, it was much worth preserving. The noble lord had said, that the vessel was in danger; but that danger arose from those laws of exclusion, which formed no substantial part of the vessel, and which should be cut away before she could be righted. Let the noble lord for a moment pursue this metaphor further. Here they found a vessel in great difficulties and danger. He would ask, whether that danger would be increased or diminished by keeping the crew divided amongst themselves, and who, instead of thinking of preserving the vessel,

were thinking of destroying one another.—The noble lord said, that they should look to the consequences that must inevitably follow the passing of those measures. He would beseech the noble lord himself seriously to consider the consequences of refusing those measures, and to weigh well the effects that must follow, should the efforts which he and other noble lords were now making to defeat these measures of concession, by any possibility be successful. The noble lord talked of saving the vessel of the State. Did the noble lord believe that it would be safe, if the bill which his majesty's ministers had pledged themselves to introduce should be thrown out? The noble lord had said, that it would be a great evil to put an end to the duke of Wellington's administration, but he contended, that there were greater evils than the destruction of the administration. Did the noble lord suppose that if the present administration were destroyed, it would be possible to provide them successors, united in opinion on this question, whom the country would for a moment bear as ministers? Let the noble lord look to the effects of the breaking up of the administration on the seven millions of people in Ireland. That irritated and oppressed people—deceived in the expectations which they had formed of being at length freed from their grievances—dismissed from the prospect which they now had of a final and complete emancipation, would actually be reduced to despair, if the measure should not pass. Let the noble lord and other noble lords look to that, when they opposed his majesty's government in these projects of concession and conciliation. He had every day heard sentiments delivered in that House on this subject, which he would say, had shocked and surprised him. He owned that he had been anxious, on this occasion, to vindicate his opinions on the points referred to by the noble lord; but he was still more anxious to impress on the minds of their lordships, the dangers of the situation in which they at present were, and to place before them the inconceivable dangers which they would have to encounter, if the attempts of the noble lord and of other noble lords, to defeat these measures, should by any possibility succeed.

The Earl of *Falmouth* said, that in the observations which he had made on the noble earl's speech he conceived he had

only discharged his duty; and this he would say, that he had never heard a more unconstitutional principle, than that of acting under a fear of breaking up the present administration.

Earl Grey said, that a blind insensibility to consequences in adopting a course of conduct, when dangers pressed upon us, was not wise, and could not be justified upon any principle. Any man of common sense, when he saw danger approaching would consider what was best to be done, in order to avert it. And this remark brought him to the subject of intimidation, which had been so much insisted upon by some noble lords. The proposers of the present measures were accused of fear. Fear there unquestionably was; but it was an honest and a just fear, originating in wisdom and directed to the preservation of the country. If ministers saw that the pursuing a certain course would be pregnant with great danger to the country, they acted upon a sound fear in deviating from that course, and it was the duty, not only of every statesman, but of every man of common sense, to fear such dangers, and to endeavour to avert them. It was the condition of mortality that they should be all subject to dangers, and the great principle of self-preservation, impelled them to provide against and prevent such dangers. That was the rule by which every statesman should direct his conduct; and when he saw, that a perseverance in a certain course would produce great evils to the state, it was his duty to take another course, in order to obviate those evils. The noble lord had talked of fear. Now, he was not ashamed to say that he was possessed of fear, and that that fear directed his conduct in reference to this question. He was not ashamed to say, that he was afraid to leave Ireland in the state in which she was at present, and that upon that principle he was determined to give his cordial support to the ministers, who were at length adopting measures of tardy, but, he trusted, effectual, justice towards that unfortunate country.

The Duke of Wellington said, that after what had passed on the last evening, he should not have felt himself called upon to say more on this subject, had it not been for the manner in which the noble lord had put the charge of intimidation against his majesty's ministers. The noble lord had said, that the manner in which ministers had conducted themselves, in reference

to this question, was just as if they had said to the Catholics, "If you give us leave to knock you down, we will afterwards give you up all that you demand." Now, he begged to assure the noble lord, that as to a bargain, or communication, or agreement with any persons, his majesty's ministers had made none. They had come forward to that House, uninfluenced by any body. The measures which they proposed, they proposed intirely upon their own responsibility, and from a sense of what they thought was due to the happiness, peace, and tranquillity of Ireland, and of the empire at large. The noble lord had discussed the majorities which had appeared upon the Catholic question in the House of Commons, and in that House at different periods during the last twenty years. Without entering into the calculations of the noble lord, he must say, that he thought the noble lord had arrived at a very erroneous conclusion. The noble lord should have borne in mind the great majorities by which this question had been frequently carried in the other House, and he should, in particular, have considered the very large majority which appeared in the Commons in favour of the consideration of this question, in the year 1812. The noble lord should have considered that, up to last year, the House of Commons was opposed to their lordships' House on this question; the majority of the House of Commons being of one way of thinking, and the majority of the House of Lords being of another. With such a state of things before him, he had come forward at the commencement of the present session, to communicate with parliament, and to ask its advice upon the state of affairs in Ireland. Now, he begged to know, if, by acting up to this course in the government and in parliament, there should exist one opinion in the Commons, and another opinion in the Lords, the government having no opinion at all,—he would ask, whether that was not a state of things which should attract the serious consideration of the government, with a view to the adjustment of this question? This he would say, that he could not take into consideration in the cabinet, any question whatever which was not influenced in some way or other by the state of the Roman Catholics of Ireland, and the difference which existed on the subject between that and the other House of parliament. That was one of the evils which he and his colleagues

took into their consideration, when they offered that advice to his majesty which he had been pleased to accept. If the noble lord would for a moment look at the difficulties attendant upon this question, not alone in that part of the empire which it more immediately concerned, but in this also,—if he knew the difficulties which arose from it in parliament, and in council, he would see many reasons for bringing it to a final decision, without having recourse to the unworthy motive which he had attributed to his majesty's ministers. He would say this, that it required much more firmness of character in his right hon. friend in the other House, to come forward as a minister of the country, abandon opinions which he had hitherto maintained, and urge upon parliament the adoption of this measure, to which he had been always opposed,—to abandon, as it were, his political existence, in order to urge on parliament this measure,—it required, he repeated, more firmness of character, on the part of his right hon. friend, to do that, than to adhere to his old and long-cherished opinions on the subject. It required, he would again say, more firmness of character in his right hon. friend, to cast away all his former notions, and to follow new opinions, when he conceived that their adoption was absolutely necessary for the security of the state, than to have continued in that course, for deviating from which he had subjected himself to the attacks of the noble lord. He begged pardon for having a second time trespassed on the patience of their lordships on this subject; but a charge so unworthy and so unjust against any set of men, as that which had been preferred by the noble lord against his majesty's ministers, he could not suffer to pass without contradiction.

The Duke of *Newcastle* said, he hoped that as the noble duke at the head of the government had not as yet given any satisfactory explanation of the ulterior design he had in view, respecting the admission of the Catholics to political power, he would see the expediency of favouring the House with an exposition of the particular nature of that design,—whether it was intended to invest parliament, or the government, with more absolute power than they at present possessed. The country, he could tell him, would not submit to absolute power or military rule; it was, therefore, to be hoped, that the ulterior

views of ministers would be soon made known, as a guide to the expressions of public feeling. He could not attach much weight to the alleged difficulties of the noble duke in managing a cabinet divided on the Catholic question; for he knew he was perfectly absolute in the cabinet, and had only to say "*sic volo, sic jubeo, stet pro ratione voluntas*," and his will was implicitly obeyed. Neither could he feel the force of the alleged sacrifice made in favour of the Protestant cause, when he considered that the sacrifice would be truly of the Protestants if the Catholics were admitted to power.

The Marquis of *Camden* said, he could not help advising the noble duke, not to answer every question which noble lords might think proper to put to him, the rather, as he and his colleagues in the government had shewn themselves sufficiently ready to take the responsibility of the measures they felt it their duty to bring before parliament, on their own shoulders. He had long thought that, to be successful and beneficial, a measure of relief to the Catholics should emanate from the government; and therefore he felt it to be a matter of congratulation, that the time was come when ministers, after deep consideration, and some of them in the teeth of long-cherished opinions, felt it to be their duty to obtain the sanction of the Crown to such a measure. On this occasion he knew not well how to express his high admiration of the firmness, high spirit, and dignified conduct of a right hon. Secretary, who had manfully come forward, at the sacrifice of personal feelings and of private ties, as the advocate of measures which he firmly believed would be honourable to the right hon. gentleman himself, and most beneficial to the country.

The Earl of *Darnley*, said, he was convinced, that the more the question of emancipation was discussed, the more it would make its way in the public opinion. It was strange, to say the least of it, in some noble lords, to impute to the noble duke at the head of the government, a wish to intimidate, or to charge ministers with having been intimidated, when the whole conduct of those noble lords was one of intimidation and threat to appeal to the apprehensions and prejudices of the country. He was old enough to remember the riots of 1780, when a similar appeal was made, which, owing to the people then being much less enlightened

than they were at present, was productive of the most mischievous consequences. But such an appeal would fail now, because the people were advancing in knowledge. If they were as ignorant as their predecessors, another fire in London would not be the improbable result of the narrow-minded, inflammatory appeals, that had been lately made to their feelings and prejudices.

The Duke of *Newcastle* presented several petitions against concession to the Catholics; among others there was one from Joseph Morris, a bookseller and printer, at Shrewsbury.

Lord *Holland* expressed a hope, that the noble duke would not move to have this petition printed. It would not only be irregular but unnecessary; because, as the petitioner was himself a printer, he would, no doubt, have great pleasure in undertaking that office himself [a laugh].

HOUSE OF COMMONS.

Tuesday, February 17.

MINUTES. MR. JONATHAN PEEL gave notice that he would, on Thursday, present a Petition from the City of Norwich, against the Roman Catholic Claims.—MR. SLANEY gave notice, that he would, on the 24th, move for leave to bring in a Bill to declare and amend the Law relative to the employment and payment of able-bodied persons from the Poor's Rate.—MR. POTTER MACQUEEN obtained leave to bring in a Bill to amend the Law relating to Parochial Settlements.

TURNPIKE TRUSTS.] Mr. *Littleton* said, he would withdraw the motion of which he had given notice, respecting Turnpike Trusts. He had had some conversation with the Chancellor of the Exchequer, and finding that right hon. gentleman disposed to look at the subject in much the same way as he did, he thought it better to leave it in such good hands.

ASSOCIATIONS SUPPRESSION (IRELAND) BILL.]—Mr. Secretary Peel moved the third reading of this bill.

General *Gascoyne* said, he did not rise to object to the third reading of this bill, the sooner it passed into a law the better, but for the purpose of putting a question to the Secretary of State for the Home Department. He thought it a very proper opportunity, for it was the only one that might present itself for some time, if the report that the right hon. gentleman was about to relinquish his seat in parliament for a short period, was true. If he recollected right, the right hon. gentleman, in commenting on his majesty's Speech, had spoken of dangers which

were only known to himself, and which had not been communicated to the public. Now, he wished to know what those dangers were? Or whether there were dangers apprehended by the right hon. gentleman, besides those stated to be apprehended by him, in the speech in which the present bill was introduced? They were all aware, that great dissatisfaction subsisted in Ireland. They were all previously apprised of much tumult, and of an apprehension of conflict, though no conflict had actually taken place. These were facts known to every individual; but what he wanted now to know was, what were the peculiar dangers stated by the right hon. gentleman to have been apprehended by him, and respecting which, his ministerial situation afforded him peculiar advantages of information. The right hon. gentleman had certainly laid some documents before the House on a former night; but if these were all the statements he had to submit as evidence of these dangers, he could assure him they had created universal disappointment. There were a thousand ridiculous rumours abroad. It was stated, and he had met with twenty members of that House who believed it, that there were many Catholics in the army ready to resist if called upon to act. Then it was reported, that foreign powers had remonstrated with this country, and that America had secretly supplied Ireland with arms [a laugh]. He really only mentioned these absurdities, in order that they might be contradicted. It was scarcely credible that a rational man could entertain them; and yet many men out of that House,—aye, and in that House too [a laugh]—did seriously entertain an opinion, that the right hon. gentleman would never have given his assent to the measure in contemplation, and have become the executioner of his own principles, if he did not know of something which the public were not permitted to know. For his own part, he was rather inclined to think that the right hon. gentleman had explained all that he did know upon the matter; and yet he hoped the right hon. gentleman would say so at once, and allay the alarms which so generally prevailed. Much as he was inclined to admit the impropriety of anticipating discussions, yet this having been fairly made a preliminary measure, and the statements in support of it not being sufficient to satisfy him of the propriety of the other measure, he felt himself justified in

putting these questions to the right hon. gentleman.

Mr. Secretary *Peel* said, that the grounds on which his gallant friend had put these questions appeared to him to be the most extraordinary possible. His gallant friend had said, that there were a thousand ridiculous and extravagant reports abroad, and therefore he asked him to contradict two of them, in order to calm the public mind. The very nature of these reports would justify him in taking no notice of them; but he must protest against the principle on which his gallant friend proceeded, lest by contradicting two only, among so many absurdities, he should seem to admit the rest. He had stated, on the occasion referred to by his gallant friend, that he and his right hon. friends, from the stations they had the honour to fill, were in possession of information respecting the state of Ireland, which others could not be supposed to possess; and he had, moreover, given to the House a specimen of that information which, for the last six months, had been pouring into the office of the Home Department. As to what the gallant officer had said respecting rumours of interference and remonstrance on the part of foreign powers, he was sure the House would see he had no right to contradict such absurdities. But he was mistaken if he had not stated to the House that, at no period in the history of this country, could England have undertaken the settlement of this question with so much honour and safety as at the present period, when her relations with foreign powers were in such a condition as they had not been for the last four hundred years. He had said that he knew of no circumstance, either foreign or domestic, which could prevent the House, from undertaking the settlement of the question, with the most perfect honour, and with the most perfect consistency, in reference to its own dignity. The grounds on which he thought such a settlement advisable were to be found in the representations he had made of the state of society in Ireland, of the Protestant interest, and the Protestant institutions of that country. His gallant friend appeared to be disappointed at finding that the condition of Ireland was not so bad as he had thought it was. He could not but regret, that the picture which he had portrayed of the state of intercourse between

man and man in Ireland, had not come up to the expectations of his gallant friend. To him it had appeared bad enough; and, though he had never thought that this condition of things was of such a nature that it could not be suppressed by physical force, yet he had thought it was of a nature calculated to induce them to consider, whether it would not be much better to attempt an adjustment of the question, than to go on as they had for the last sixteen years, with a disunited government and a divided parliament. It was true there were dangers; but, if it were supposed that he meant to say that in legislating for Ireland, that House was to do so under the influence of fear, he had been most strangely misunderstood.

Mr. *Moore* said, he was extremely glad to hear from the right hon. gentleman, that there was nothing in their foreign relations which could influence them in granting or refusing concessions to the Catholics. He rejoiced, too, in learning, that there was nothing in the state of Ireland which was calculated to intimidate the House, in their consideration of this great question. The only thing, then, that could have made so deep an impression on the mind of his majesty's ministers was the supposed state of society in Ireland. Now he could bear some testimony on this point. For many years he had been accustomed to observe the effect of political movements on society in Ireland, and he had no hesitation in saying, that society in Ireland, so far from being benefited by what was called a settlement of this question, would, by that settlement, be exposed to dangers with which it had never before been threatened.

The Marquis of *Chandos* wished to know whether any measures would be taken respecting the money which the Catholic Association had now in hand. He understood that the Association was in possession of funds to a large amount, which had been collected illegally; and he wished to know how it was intended to dispose of those funds.

Mr. Secretary *Peel* said, he really could not tell what would be done with this money. The bill before the House did not confiscate the funds to which the noble lord alluded; but it prevented the future meeting of the Association in its present character, or in any other character which might be considered inconsistent with the preservation of public

peace and the due administration of the laws.

Sir *R. Heron* said, that on a former occasion the right hon. Secretary had expressed his firm conviction that after an adjustment of the claims of the Catholics, the whole of the Protestants of that country would be unanimous in upholding the laws, and in resisting all attempts to disturb the public peace. He, going further than the right hon. gentleman, was at a loss to conceive how the hon. member for Dublin could say, that the adjustment of those claims would increase, instead of lessen, the dangers to which Ireland was now exposed. Not only would it have the effect anticipated by the right hon. gentleman, but it would also ensure them the co-operation of the Catholics in Ireland, and the assistance of Catholic legislators in that House to put down any associations, the effect of which should be to disturb the peace of Ireland, or to infringe the laws of that country. He must, however, take that opportunity of saying, that he hoped that in no part of a measure which was to restore some political rights, would there be any thing which would destroy other political rights. Whatever regulations might be thought necessary with respect to the elective franchise of Ireland, he did hope that they would follow and not be mixed up with that great measure. He could not help feeling convinced that the state of the elective franchise of that country had, in some measure, contributed to place the question of the Catholic claims where it was; and he therefore sincerely hoped that it would not be mixed with the measure in contemplation. He regretted that this measure should be persevered in after the Catholic Association had met the wishes of government by dissolving itself. He could not help feeling some gratitude to the Association, because it was undoubtedly owing to it that the measure, so necessary for the peace of Ireland, was to be brought before Parliament. He, however, felt too much gratitude to the right hon. gentleman for his noble conduct with respect to this question to offer any opposition to the present bill.

The bill was then read a third time.

GAME LAWS.] Mr. *Stuart Wortley*, after observing, that the causes which had last year induced him and so many other persons to wish for an amendment of the

Game Laws, had increased rather than diminished,—and, after expressing his wish to bring forward a measure on the subject with as little delay as possible, moved for leave to bring in a bill to amend the Game Laws.

Mr. *Leycester* was of opinion, that measures of this nature had hitherto proceeded on wrong grounds. He attributed poaching, and the evils resulting from it, not so much to the game laws, as to the incompleteness of property, the accumulation of game in preserves, its defenceless condition, and the propensity of monied men to purchase it. The preserves were, in fact, the real cause of the mischief; and he thought it exceedingly desirable that the feeding of pheasants should be discouraged by prohibiting the growth of the articles necessary for that purpose.

Mr. Secretary *Peel* observed, that in that case the hon. gentleman would wish to discourage the growth of barley and oats.

Mr. *Leycester* replied, that of course he would only wish to prevent their being grown for the special purpose which he had mentioned.

Sir *J. Wrottesley* earnestly recommended his hon. friend to separate his intended measure, and in the first place to bring in a bill to permit the sale of game, and afterwards to introduce the more complicated and difficult part of the subject.

Mr. *Sykes* was convinced, that the only way to remove the existing evil would be, in the first place, to repeal the Game Laws altogether. They would then see their way to a better system of measures, by which property in game might be preserved, consistently with the encouragement of sport.

Mr. *R. Colborne* said, it was quite evident that something must be done upon the subject; but he thought it would be much better to let his hon. friend introduce his measure, in conformity to his own views and opinions.

Lord *John Russell* was afraid he should incur his hon. friend's censure, by the advice he was about to offer. What he recommended was, the consolidation and amendment of all the laws relating to Game. At the same time, he was not very sanguine that any amendment would produce a great diminution of poaching, while the present system of game-preserves was maintained. At all events, the legislation on the subject ought not to be left in its present state.

Leave was given to bring in the Bill.

INSOLVENT DEBTORS (IRELAND.)] Lord *F. L. Gower* moved for leave to bring in a bill, to amend the Laws for the relief of Insolvent Debtors in Ireland.

Mr. *Hume* wished to know, whether the noble lord had made any inquiry into the proceedings of the Insolvent Courts in Ireland? If so, he was persuaded the noble lord must be of opinion, that the law on that subject in Ireland was not only not beneficial, but highly inconvenient and injurious. If they might judge of them by the returns respecting the English Courts, it would be found, on a reference to the latter, that on an amount of fourteen millions, which had come within the purview of the English Court, only one farthing in the pound had been paid. He intended to move on Thursday next for certain returns connected with the Debtors' Court in Ireland, when he would show the House, that the expense the public was put to, greatly exceeded the returns which were made. It was notorious in England, that that Court was made use of for purposes of fraud, and the encouragement of useless expense. He therefore pressed the noble lord to direct his attention to the propriety of putting an end to the practice of arresting for debt altogether; or at least when the debt was less than 20*l.*, as was the case in England. He was informed that there were at present confined in Ireland, twenty-four persons for a debt, the aggregate amount of which was 432*l.*, and the years of their imprisonment amounted, on the aggregate, to one hundred and forty-four. Out of six hundred and sixty persons confined for debt in Ireland, three hundred and fifty were for sums under 20*l.*, and only one hundred and seventy who were confined for sums exceeding 100*l.*

Lord *F. Gower* suggested the propriety of postponing the discussion on this subject until the bill was introduced.

Leave was granted to bring in the bill.

HOUSE OF LORDS.

Wednesday, February 18.

ROMAN CATHOLIC CLAIMS—PETITIONS AGAINST.] Lord *Bexley* said, he had a petition to present against the Catholic Claims, from the city of Norwich. It was signed by more than five thousand of the inhabitants of that city and the adjoining neighbourhood, and it appeared

to him, that it was a strong proof, that the sentiments of the people of England were adverse to the concession. It had been said, that the principal opposition to the Catholic Claims was to be found amongst the agricultural districts. It was true that the majority of the agriculturists were opposed to the concession of these claims, and due weight ought to be given to their sentiments on the question: but here was a petition from a great city, which went to prove that the manufacturing interests were also opposed to concession.

The Earl of *Mountcashel* presented a similar petition from Cork. The noble lord said, he would take that opportunity of expressing his conviction, that parliament, in adopting the measures which ministers intended to bring forward, instead of pacifying Ireland, would only sow the seeds of future dissensions. The people of that country would gain nothing by emancipation:—it would only benefit a party of political swindlers.

The Earl of *Clare* said, that his noble friend, the Chancellor of the University of Oxford, had requested him to present the petition which he now held in his hands against the Catholic claims. His noble friend was unable to attend in consequence of bad health, otherwise he would have presented this petition from the learned body over which he presided, and at the same time have informed the House, that he did not coincide in the prayer of this petition. He would say for himself, that he never gave a vote with half the delight as the vote which he should give for the removal of the civil and religious disabilities now affecting the Roman Catholics.

HOUSE OF LORDS.

Thursday, February 19.

ROMAN CATHOLIC CLAIMS—PETITIONS FOR AND AGAINST.] The Earl of *Eldon* presented sundry petitions against any further concessions to the Catholics. There was one of them, he said, which he did not well know how to treat. It was a petition signed by a great many ladies.—He was not aware that there was any precedent to exclude the ladies from their lordships' House; but he would look into the Journals and see whether there existed any precedent to prevent the ladies from forwarding their remonstrances to that House against measures which they considered injurious to the constitution.

Lord King inquired whether the petition expressed the sentiments of young or old ladies? [a laugh.]

The Earl of *Eldon* said, he could not answer the noble lord as to that point;—but of this he was sure, that there were many women who possessed more knowledge of the constitution, and more common sense, than the descendants of chancellors. [a laugh.]

Lord King said, he was sure that the sentiments expressed in the petition were those of the old women in England.

Lord *Teynham* presented a petition in favour of the Catholic claims from Wicklow. In so doing, he expressed his hope, that these claims would at length be fully conceded. It was the only way of putting an end to the divisions which existed in Ireland.

The Marquis of *Bute* presented similar petitions from the county of Wexford. He expressed his satisfaction at the measures which ministers intended to introduce.—He was one of those who would not seek for any special securities for the established church, as he did not consider them necessary; but he believed that such was not the opinion of the majority of those who would support the measure. Under such circumstances, he would be willing to see the measure passed with such securities as his majesty's government might require, as he was confident that they would only not demand such as a Protestant state might reasonably claim, and which all reasonable Catholics would consent to give.

The Duke of *Sussex* said, he had a petition to present from the city of Bristol and its vicinity, having one thousand seven hundred respectable signatures, in favour of the Catholic claims. In presenting it, he could only state, that he, on no similar occasion, had had so much pleasure as he then experienced in being honoured with the presentation of a petition, with the whole sentiments of which he perfectly agreed. And he could not resist that opportunity of thanking the noble duke at the head of the administration, and the other noble and hon. members of it, for their unanimity and wisdom, in bringing forward measures so essential to the tranquillity of the country. In introducing the petition to their lordships' notice, he felt it to be his duty to explain the origin of it, and the circumstances attendant upon its progress. He would avoid the introduction of any topic likely to

produce a collision of feeling, at the same time, he felt it due to the number, respectability, and wealth of the petitioners, to state the facts which gave rise to the petition. In adverting to another petition not then before the House, he was aware that such practice was not convenient; but he would confine himself to a simple statement of facts without any comment, for he wished noble lords to approach the discussion of the intended measure of the government, with calmness, and free from any excitement. The petition not then before the House to which he had alluded, had certainly more signatures annexed to it; but it was got up in a manner which, in his humble opinion, was not right. At the meeting of which it was the result, persons dissenting from its prayer, were allowed to be present, but were not allowed to speak. Those persons attempted to carry an amendment, but were checked by the Chairman of the meeting, who told them, he would not put the amendment, as its tendency was contrary to the purpose for which the meeting was convened. The consequence of which strange proceeding was, that those (the present petitioners) who dissented from the petition adopted at the meeting to which he had alluded, were obliged to have another meeting in another place.—There was another circumstance connected with the petition not then before the House, to which he begged leave to direct their lordships' attention. It had been said in another place, that that petition was the consequence of the sentiments contained in the king's Speech—that is, that it originated in a disapproval of the intended measures of the government, in favour of the Roman Catholics. Now, he was authorized to say, that whoever asserted that, asserted what was not the fact; as a short statement would clearly show. For weeks preceding the meeting of parliament, the petition was talked of by its principal supporters; and, on the Saturday before the session was opened, a secret meeting was held of the Chapter, at which it was requested that it might be signed, as it was the very day on which the king's Speech was delivered in their lordships' House; proving, therefore, that the petition could not have originated in a dissent from the recommendation contained in the royal Speech. Another circumstance to which he begged their lordships' attention was the manner in

which the petition which he had been just noticing was signed. Their lordships might suppose, that the names annexed to the several petitions presented from Bristol were all fresh—that they had not appeared before. But what was the fact? Petitions came from every parish, chiefly got up by the clergy and the clerk of each parish. The clergy signed, first the petition that came from them as a body, next the petition of their parish, and, thirdly, the petition purporting to be the general one of the inhabitants of Bristol; so that they came before their lordships three times on the one subject. Now, he was not one to object to the right of petitioning, but he would object to any attempt to give the public an impression, that a greater number had signed petitions against the Catholics than really had. Such were the circumstances connected with the petition not then before the House. With respect to the petition which he held in his hand, it was the result of a separate meeting of those persons who had failed in carrying their intended amendment. After their petition had been agreed to, they applied to the mayor of Bristol for leave to let it lie in the Exchange for signatures, as he had permitted the Guildhall to be similarly employed by the other party. The conduct of that magistrate was most creditably impartial: he granted the Exchange, and in the course of a few hours, on Thursday and Friday, the petition received upwards of one thousand seven hundred respectable signatures. An attempt was then made to defeat the object of the petitioners by a riot; during which some of the signatures were torn off. That being the case, the mayor requested those most active in getting up the petition to withdraw it, adding, that he was most willing, if necessary, to state that it was at his personal recommendation, with a view to preserve tranquillity, that the petition had been withdrawn. But for this circumstance, the petition would have had a much greater number of signatures.—His royal highness begged leave to repeat his expression of grateful admiration of the conduct of his majesty's ministers. He assured them they possessed his entire confidence, and might depend upon his honest support. Before he sat down, he could not help expressing his conviction of the necessity of approaching the discussion of the intended measures with calmness. He entreated their lordships, and

particularly the right reverend prelates, to bring the same tone and temper to which he had borne willing testimony when the repeal of the Test and Corporation acts was under discussion, to the consideration of the Catholic claims. To that tone and temper, that excellent measure was chiefly indebted for its success. He cheerfully gave those noble lords who held opinions different from his own, credit for the purity of their intentions: all that he asked in return was, that an equally charitable interpretation should be given of the conduct of those who thought otherwise than they did. Those noble lords should bear in mind, that violent statements and vehement speeches could not serve any cause; that the public mind would be best enlightened by temperate arguments, and could only be disturbed by inflammatory declamation. The peculiar relation in which he stood to the throne, made him feel strongly the necessity of replying to those arguments, if arguments they could be called, founded on the law of succession. It was asserted, that the present sovereign would have no right to his throne if he consented to admit the Catholics to a political equality with their Protestant fellow-subjects. Could any man possessing common-sense believe such a doctrine. If it were necessary, he would repeat what he had said on that point on a former occasion; but his noble friend (earl Grey), and a noble baron near him (Holland), had so exhausted the whole question that any thing he could offer on the subject would not only be useless, but might tend to weaken their arguments. He would, therefore, without further comment, fling away the opinions that had been broached respecting the succession of the Crown: indeed, he was convinced that those who asserted them did not believe them, but only used them to serve a momentary purpose, while they secretly laughed in their sleeves. Noble lords, without asking what was to be done, argued as if the intended measures were actually before them. How, he asked, could any noble lord venture to reason on a subject, with the precise nature of which they were not then acquainted? Until the question was before the House, he must deprecate all premature discussion.

The Bishop of *Bristol* said, he thought the royal duke had been misinformed, with regard to the petition, to which he had called the attention of the House.

The parties to whom the royal duke had alluded felt it to be their duty to acquaint parliament with the public feeling towards the projected measures in favour of the Catholics; and had therefore held in every parish a public meeting, and ultimately a general meeting of all the parishes. He himself had taken no part in those meetings: on the contrary, he had cautiously abstained from all interference, thinking such interference to be unbecoming in one of his station. Some of his clergy, however, attended, and from them, from letters from his own family, and from Mr. Daniel, one of the oldest magistrates in Bristol, he learned that those meetings were unanimous in their hostility to concession to the Catholics. The few persons who dissented went away, finding it hopeless to contend against an overwhelming majority. Attempts were made to pull down colours that had been hoisted, in joy of the result on some of the churches, but they were ineffectual. The petitioners were persons of great respectability, whose names occupied twenty-five pages, and they were opposed to concession on grounds which he considered incontrovertible. They believed the present ruinous condition of Ireland to be owing to the prevalence, in that country, of the Catholic religion; and so far from considering the intended measure as one of relief, they, as well as he, were convinced that it would be productive of the most mischievous consequences. The priests of that faith successfully resisted all attempts to introduce a religious system of education; and it was painful to reflect that the rising generation would consequently be brought up in ignorance and superstition. He declared, solemnly, that he held the spirit that had characterized in every age the religion of the church of Rome in such detestation, that he considered any measure likely to increase the political power of its professors fraught with the greatest danger. That church had tampered with three articles of the Decalogue, and omitted the one condemning idolatry. Its demoralizing effects were but too evident in Ireland, in which country were to be seen the sacramental abominations, and its other superstitious institutions. There were also to be seen tracts teeming with ruinous morality; but there were not to be seen the means of sound religious instruction. To every measure likely to extend the influence of

that church, he should always be opposed.

The Duke of *Sussex* wished, in explanation, to remind the right rev. prelate, that in his statement he had purposely abstained from offering any opinion on the Catholic question. The present was not the time. When that time should come, if the right reverend prelate wished it—he would attempt to enter the lists with him, if he might so speak, gladiator-like, and convince him of the unsoundness of his views of the policy of concession to the Catholics.

The Duke of *Cumberland* said, he never rose to address their lordships with more painful feelings than he did at that moment. Indeed, he begged to assure their lordships, that nothing but the duty which he owed to that House, to the country, and to himself, should have induced him then to trespass on their indulgence. But feeling as strongly as he did the importance of the subject, he thought it his duty to let the country know—not whether he said this or whether he said that—but what he was. It was a source of painful regret to him to differ on any measure from the noble duke at the head of the government, with whom he had long been on habits of intimacy, and for whom he entertained the highest respect. He would put it to their lordships, whether they were prepared to say—for that in fact was the question—whether this country was to be a Protestant country with a Protestant government, or a Roman Catholic country with a Roman Catholic government. This was the question, and none other. The moment that there were Roman Catholics admitted into that, or the other House of parliament, their House and the House of Commons, must cease to be a Protestant House of Peers or a Protestant House of Commons. Although as much a friend as any noble lord within the reach of his voice to toleration, he was not prepared to admit the Catholics to seats in that House, to become members of the cabinet, to be eligible to the high and confidential situation of Lord Chancellor, nor to that of Lord-lieutenant of Ireland. He was unwilling to say more at present, though he would confess that he believed there were many Roman Catholics who were just and worthy men. He felt sorry that he had been called, as it were, somewhat out of place, to interrupt the regular proceeding by this avowal of his sentiments on this most important sub-

ject. It had cost him some effort; but he felt, considering the turn which the debate had taken, that this explanation on his part could not be avoided.

Earl Grey observed, that if the avowal of the illustrious duke on a subject of such paramount importance, cost him some effort, it was not too much for him to say, that he had heard that avowal with considerable pain and deep regret, as far as it might be expected to produce an influence on a question connected with the dearest, and most vital interests of this country. He should not, perhaps, have troubled their lordships on this occasion, but for a term which that illustrious person had introduced unhappily into his speech. He alluded to the statement made by the royal duke, that the question to which their attention had been drawn was neither more nor less than this,—was this country to continue a Protestant or to become a Roman Catholic country? Now, he distinctly denied that such was the question. If that measure of relief to the Catholic body would, in his mind, subvert the Protestant constitution of this country, the royal duke himself could not be a more determined opposer of the measure than himself. It was not true that this measure was fraught with danger to, but it was true that it was fraught with safety, and was even essential to the preservation of, this Protestant country. It was not a question whether this country was hereafter to become a Protestant or a Catholic country, but whether it was to be an united or a divided empire. This measure, so far from subverting, was eminently calculated to support our Protestant constitution, against all possible divisions either from religious faction or political danger. He had been anxious to make these few observations, in reply to what had fallen from the illustrious duke, lest it should go forth to the public with any mark of authority, that the question was, whether this country was to be Popish or Protestant; while the question really was, whether, by the proposed measure, we were at length to have our differences satisfactorily settled, and whether a country, otherwise weak and divided, was at length to become strong, united, and formidable.

The Earl of Eldon observed, that if the noble earl who preceded him had a right to admit in his opening, that he felt pain in approaching the subject, he might well

regret the necessity imposed on him to address their lordships again upon it. He had pledged himself on the first day of the session to oppose the measure of Catholic concession in every stage: nor could he concede upon principle, that Catholics should be permitted to hold high official situations. This he felt to be his duty, in conformity with those principles which placed upon the throne the family of the illustrious individual who had just addressed them in such constitutional language. To those sentiments that illustrious person had done eminent justice, despite of the scandalous and unjust insinuations which had been so industriously circulated abroad, as to an alteration of sentiment in that high quarter. The Whigs of former days, of whom some of the Whigs of the present day were the offspring, had constantly been the advocates of a Protestant King, a Protestant Government, and a Protestant Parliament. The present race of Whigs though the issue of their loins had totally lost sight of their original distinctive characteristic. He cared not whether he ever appeared in that House again, but he would maintain, to his latest breath, that if they once permitted Catholics to enter it as Catholic peers it must cease to be a Protestant House of Lords. For himself, he could treat all the obloquy he received, in or out of doors, with contempt. His opposition was founded on the principle recognized at the Revolution of 1688, which had placed the present royal family on the throne; and in that opposition he felt it his conscientious duty steadily to persist.

Lord Plunkett said:—He trusted that their lordships would give him credit for the assertion, that if the noble and learned lord who had just sat down, found it necessary to premise that he had risen to address them with no small degree of pain, he himself must be insensible of the situation in which he felt himself placed, if he addressed them on this occasion without both pain and embarrassment. He felt, however, some relief from the circumstance that the noble and learned lord had dealt merely in assertion, and had not condescended to grace his speech with any thing like argument. Possibly he might have reconciled himself to that course, because, in point of form, this was not the proper time to discuss the measure so repeatedly alluded to that evening. He would, however, say, in justice to the

subject, and fully and positively expressing himself as a lawyer, that the question was not whether the constitution was to remain Protestant or become Catholic. To that extraordinary position of the noble and learned lord, he begged to give now the most explicit and direct contradiction which it was in his power to give, consistently with the forms of proceeding in that House. An illustrious person had that evening characterised the meditated concession to the Catholics as subversive of the constitution. Indeed, the speech of that illustrious person, as well as that of the noble and learned lord, had proceeded throughout on the assumption, that such concession was positively subversive of the constitution as by law established. And here he must once for all say, that if he could persuade his mind, that the measure was subversive of the constitution as by law established, he would be as determined an opposer of it as the noble and learned lord, or the illustrious duke. To that inference he could however never come; and without in the least doubting the sincerity of those who professed contrary sentiments to his own, he had no hesitation in saying, that he classed those persons amongst the worst enemies of the state, who would rest the basis of our constitution on the principle of exclusion. A general system of misrepresentation prevailed as to the true principles which placed the present royal family of this country on the throne. The force of that which they had heard that night consisted not in the variety of the arguments, but in the identity of the assertion. It was reiterated for the one-hundred-and-first time with the same zest as when it was first broached, that the glorious principle of the Revolution of 1688 was a principle of exclusion against the Catholic part of the community. He would undertake to say, that any peer who, like himself, should take the trouble to examine the records of parliament, would find that no such principle had been established at the period of the Revolution. The whole of the principle aimed at by the patriots of that day was the insuring for ever after a Protestant king to the throne of these realms. The Roman Catholic peers were not by that Revolution excluded from their seats in that House. This was no part whatever of the law established by the Revolution of 1688; but the fruit of bad men and bad measures. The principle of exclusion had been established

during the reign of Charles 2nd, was the legitimate offspring of falsehood, and originated in a different purpose and object. In fact, the 30th of Charles 2nd, was the act of Titus Oates, and was altogether founded on that long-since-repudiated and infamous fabrication, the Popish plot. It was absurd to talk of this principle emanating from the Revolution which placed the House of Brunswick on the throne.—And here he must cursorily remark, that there scarcely could be a piece of more audacious presumption, than that of denominating those clubs of political exclusionists by the title of “Brunswick Clubs.” An attempt was thus made to render the respect due to the throne subservient to the worst passions; and he felt deep regret that any thing so unworthy should be associated with the name of the House of Brunswick. He would recommend that they should henceforward be called “Titus Oates’ Clubs.” So much, for the origin of these sacred laws which we had so often been told were passed at the Revolution to secure the Protestantism of the constitution. What then, let their lordships inquire, was the nature or object of that act, and what were the mischiefs intended to be remedied? There was then an apprehension of a popish successor, and the person on the throne was suspected to be a papist; which, in fact, he was, in the most odious sense of the word. That act would not have been passed, if the Bill of Exclusion against the duke of York could have been carried; but as it was known that that bill would never be passed, the other was substituted, as the right and perfect remedy could not be applied. That was the origin of the exclusion of the Roman Catholics. It was because the parliament of that day could not trust the king in possession of the throne, that they, by that act, secured that no laws could be passed without perfect safety to the constitution, and that no one could be called to the House of Peers, or elected to the House of Commons holding the religious principles of the king, and therefore disposed to forward his views. Not able to attack the power of the throne, in order to effect their purpose, they took the circuitous course of infringing on the liberties of the people.—As to the glorious period of the Revolution, he assured their lordships that he had as great a reverence for the principles then established as any noble lord

in that House. But, what had been done by their ancestors at the Revolution? Did the laws then passed—did the Bill of Rights—say that the measures for excluding the Roman Catholics from parliament were to be eternal and unalterable? No such thing. The Bill of Rights said, that the vice which existed when the laws of exclusion were passed should be perpetually cured, for that the Crown should be perpetually Protestant. It was scarcely parliamentary to ask questions, and he thought he need scarcely put it to the noble duke at the head of the government, whether it was his intention to interfere, in the proposed measure, with the Protestantism of the throne. If then it was not the noble duke's intention, as it certainly was not, to touch the throne, there was no subversion of any principle established at the Revolution. The true and essential principle of the Revolution was the same by which, from the beginning of the constitution, its supporters were always animated, and which had given the same tincture to every act done to uphold it. The government and constitution of this country were, and had always been, essentially representative, and the people of every description had a full and free right to be represented, unless they were incapacitated by some necessity. Not only had they a right to seats in parliament, but they were entitled to enjoy all the rights that belonged to them before they entered into society, by which act they were all confirmed, unless such as were excepted by a clear necessity, or by some general rule of expediency. It appeared to him that the noble and learned lord had fallen upon the exception, and confounded it with the principle itself. At the Revolution our ancestors did not feel themselves perfectly safe. They did not repeal the 30th of Charles 2nd, because they had not got rid of the terror of a Catholic Pretender. The Protestant government might have been overturned by a popish successor; the time was not yet come, therefore, for repealing those laws. Did not the circumstances of these laws being so retained, and the history of their enactment, prove that they were so left as an anxious mark of the opinion of the legislators of that day, that they would not suffer them to be incorporated with the principles of the constitution. Where, for example, was the passage in the Bill of Rights which said that the laws against the

admission of Roman Catholics into parliament should be perpetual, and that the oaths and declarations should still subsist? It declared the possession of the throne to belong perpetually and unalterably to a Protestant king; but it nowhere said, that the oaths and declarations enacted to exclude the Roman Catholics should be continued. He was not to be told, then, that these measures would go to shake the foundations of the constitution. But he ought not to detain their lordships with this empty discussion, in which he had only groundless assertions to combat, though he could not refrain from adding one or two facts which would decisively confirm his statements. Some time after the Revolution, at the Union with Scotland, when it was sought to have these laws of Charles 2nd incorporated into the articles of the Union, the proposition was rejected, and not rejected in silence. We had the positive reasons and votes of the Scotch Commissioners who refused to admit it; and the words of the Act of Union were, that the oaths, as then required by law, should continue until the United Parliament should otherwise direct. He did not know whether the noble and learned lord was aware of the fact; but if he looked into the history of the Union, he would find that the proposition was made, in the conferences that took place, by the English commissioners to the Scotch; and that proposition was this—that the oaths and declarations required by the 30th of Charles 2nd should be taken by the members of both Houses in the United Parliament; but the proposition being rejected, the Act of Union ran—that the oaths and declarations, as then enjoined, should continue to be taken and subscribed, until the parliament should otherwise provide. Then came the Union with Ireland; and in that act there was the same form of expression, with some verbal difference, but still requiring the same oaths to be taken until parliament should otherwise direct. He hoped, therefore, that his majesty's ministers, who had in their wisdom resolved to do justice to the Roman Catholics, would persevere in their intentions; the mere announcement of which had already had the effect of so disarming the angry feelings that existed in Ireland, and of inducing the Roman Catholics at once to retire from their follies, more readily by one single act of justice and tenderness, than by all the severity of the penal code, were it again

revived. They had shewn their anxiety to bow with submission to the intentions held out by the legislature; and he trusted that the noble duke, before even the short period had elapsed which would intervene between that moment and the consummation of this great measure, would have an opportunity of seeing how directly it would tend to consolidate the strength, glory, safety, and happiness, of the empire.

The Earl of *Eldon* observed, that, although he was certain there would be no lack of ingenuity or ability displayed by the noble and learned baron, or by the noble lord behind him, when the measure of concession came regularly before them, he should on that occasion, not hesitate to take up the question, either constitutionally or historically, and grapple with either.

Lord *Redesdale* said, he was decidedly opposed to any innovations on the constitution in favour of the Roman Catholics, nor could he conceive how a Protestant king could govern the country surrounded by advisers, who were not only not Protestants, but adverse to the Protestant religion. It was impossible that, in such circumstances, the king could by himself protect the Protestant constitution of the country. What had passed within a few years must be sufficient to convince their lordships, that no more important principle could exist, than that the king's ministers should be Protestants as well as the king himself; for the king could not govern without the assistance of his ministers; as he did every thing by others, and nothing himself. Was it to be supposed, that the king would long act as a Protestant king should, when all his advisers might be urging him to the violation of the Protestant constitution? With respect to conciliation, he would say, it had no greater friend than himself. The danger of admitting Roman Catholics into parliament, certainly depended on their number. If, for example, the entire House of Commons were composed of Roman Catholics, could any one doubt that the king must submit to whatever they might dictate? If all the members of that House were Roman Catholics, the consequence would be exactly the same; and so they also would if all the king's ministers were Roman Catholics. This was a question of degree; and so far he was not unwilling to concur with the advocates of concession. If they could render it safe, he was not so adverse to what might be proposed, but the difficulty

was to make it so; for he feared that if once they admitted the followers of the Roman Catholic religion into both Houses of parliament, and that the advisers of the Crown might be Roman Catholics, nothing could save our Protestant constitution from destruction; for it seemed to him the most ridiculous idea that ever entered the head of man, that Roman Catholics should support Protestantism. He considered the acts of Union as fundamental laws; and they both stipulated, that the Church of England, the Church of Scotland, and the Church of Ireland, should be Protestant; but he desired to know how these great national compacts could be kept, if all the members of parliament, and all the king's ministers might be Roman Catholics? If, indeed, means could be found to prevent the baneful influence of the Roman Catholic religion from controlling the legislature, then it might become a matter of prudence to admit them to power and to parliament; but, as long as no restrictions of this nature could be discovered, it was impossible to admit them, without sacrificing the Protestantism of the constitution, as it had existed since the Revolution. The noble and learned lord who had last spoke, had admitted, that the object then was, to place a Protestant king always on the throne, in order that he might preserve the Protestant establishment in church and state. But when parliament admitted persons of a different persuasion, the question was, whether it would be Protestant or not. Any admission of the Roman Catholics would be a direct infringement of the principle which was fully established at the Revolution. He said so, because it was the effect of that event to continue the laws enacted in consequence of the apostacy of Charles, 2nd and James 2nd; the one a concealed papist, the other an avowed one. He did not know what were the measures to be proposed; but if they resembled what had been stated by some noble lords, there was an end of the constitutional principle which had made this country a Protestant kingdom.

Earl *Bathurst* drew their lordships' attention to the irregularity which had occurred in their proceedings. They had evidently entered into matter not immediately connected with the petition before them.

The Lord *Chancellor* said, he was bound to account to their lordships for the turn which their proceedings had taken. When

an illustrious duke had risen, he had imagined that he intended to address himself to the subject of the petition; and having heard him at length, out of the respect which was due to his high rank and station, particularly under circumstances so calculated to create unusual interest, he afterwards felt himself indisposed to interrupt the noble earl, who rose to reply to his observations. Having offered this by way of apology, he now felt himself called upon to assert, notwithstanding what had fallen from the noble and learned earl opposite, that according to his views of the constitution, he entertained an entirely different opinion from that of the noble and learned lord. This opinion he expressed with the utmost deference, yet with great firmness. He was quite sure that, having examined scrupulously and deliberately the measure of relief contemplated by his majesty's government, no proposition would be made for the adoption of the legislature, which would be inconsistent with the constitution. He should ill deserve the high situation in which he had been placed by the kindness of his gracious majesty, if he could join in advising any measure, which could endanger the interests or well-being of this Protestant constitution. It had been said that, in repealing the laws affecting his majesty's Roman Catholic subjects, they would act at variance with the principle of those illustrious individuals who had established the constitution in 1688. But when a calm and deliberate view was taken of the state of Ireland especially, and of the whole condition of the kingdom, as affected by those laws, he was satisfied that the illustrious individuals to whom reference had been made, were they now living, would pursue the very course about to be pursued by his majesty's ministers. Another topic had been glanced at, and many doubts, suspicions, and surmises, had been thrown out with respect to the proposed measures, as if they could in any degree affect the succession to the Crown. When the question came regularly before the House, he should be ready to combat with noble and learned lords; and he made bold to say, that there would be nothing in the measure which it would shortly become the duty of his noble friend at the head of his majesty's government to propose to parliament, that would, in the slightest degree, affect the succession to the crown of England. Though he en-

tertained a high respect for the talents and acquirements of his noble and learned friend, he felt satisfied, that he should be able, humble individual as he was, and in every respect inferior to that noble and learned lord, to expose and refute the arguments, by which such a position as that assumed by the noble and learned lord had been attempted to be maintained. He should not be justified in trespassing further on their lordships' attention at the present moment; but he must protest against the doctrines that had been advanced by noble lords, and against a course of proceeding calculated greatly to excite the public mind, and to lead to no good result whatever. On the first day of the session, allusion was made to the temper and moderation with which it was desirable to discuss the question; yet, since that day, every possible attempt had been made to excite the public mind, so as to render it impossible to discuss it in the proper spirit. Was this decent or proper, when the contents of his majesty's gracious Speech were considered? His majesty recommended, that this great and important subject should be treated, when it came to be discussed, in a manner worthy of its importance. Noble lords were to consider, whether the disabilities under which his majesty's Catholic subjects laboured, could be removed, so far only as this could be done consistently with the safety of our Protestant constitution. This being the recommendation of his majesty, the administration were pledged not to introduce any measure inconsistent with that recommendation; and such being the case, he conceived it would have been more proper to have waited until their lordships saw the proposed measure. If, when it was submitted to parliament, it did not come up to his majesty's recommendation, then it would be their lordships' duty not to adopt it.

ASSOCIATIONS SUPPRESSION (IRELAND) BILL.] The Duke of Wellington said, it was now his duty to move the order of the day for the second reading of the bill for the Suppression of Dangerous Associations,—a question not unconnected with that which had been so much discussed by their lordships during the last two hours, and, he must be permitted to say, so very irregularly. He intended, in adverting to the Association, which it was the more particular object of the present bill to put down, to exaggerate and aggra-

vate nothing. On the contrary, he would confine himself to a simple statement of facts. The true description of this Association was, in his opinion, to be found stated in the Speech which had been delivered from the throne, on the first day of the session. In that Speech, after observing that the state of Ireland had been "the object of his majesty's continued solicitude," it was further observed,—“His majesty laments, that in that part of the United Kingdom, an Association should still exist which is dangerous to the public peace, and inconsistent with the spirit of the constitution,—which keeps alive disorder and ill-will amongst his majesty's subjects, and which must, if permitted to continue, effectually obstruct every effort permanently to improve the condition of Ireland.” The Speech proceeded to say,—“His majesty confidently relies on the wisdom and on the support of his parliament; and his majesty feels assured, that you will commit to him such powers as may enable his majesty to maintain his just authority.” Such was a just description of the recent state of the Roman Catholic Association; but he believed he was justified in stating, that in the original institution and formation of the society, on the subject of which it was his duty to address their lordships, there was nothing strictly illegal. The illegality subsequently complained of, and which it was the object of this as well as of a former bill to suppress, proceeded from its acts. Those acts consisted principally in levying a tax upon certain of his majesty's subjects, called Catholic rent, and this, by means and acts of extreme violence, which occasioned constant heart-burnings and jealousies amongst his majesty's subjects—by appointing persons to collect this rent—by appointing other individuals to be treasurers of it—further, by adopting measures for organising the Catholic population—by appointing persons to superintend that organization—and by assuming to themselves the government of the country and still more, affecting to assume it. Besides, they expended this rent in a manner contrary to, and utterly inconsistent with, all law and order, and the constitution of the country. But this was not the least material part of the danger occasioned by the Catholic Association. Part of the money thus improperly obtained was spent for election purposes. And here he called the attention of the noble and learned lord, to acts proving the

existence in parliament of a Roman Catholic influence, and of an influence directly derived from this Association. He would not discuss that subject further at the present moment, but he begged noble lords not to forget it, in discussing the details of a measure which he should have to propose hereafter for their lordships' adoption. Besides the money spent in elections, there were other sums (also arising out of the rent) spent in endeavours to contravene the due administration of justice in Ireland. When he made this observation, he fully and freely admitted the right, and, indeed, duty of every man to watch closely and vigilantly the administration of law and justice in this country; but, at the same time, he was prepared to maintain, that that right and duty could not be conveniently and justly exercised by the members of a self-elected Association, having large sums at their command, and employing the money which they possessed for the purpose of exciting a spirit of litigation and dissatisfaction among his majesty's subjects—employing it for the purpose of defending some individuals—for the purpose of prosecuting others—for the purpose of prejudicing the first inquiries in cases of criminal procedure, and unduly interfering with the administration of justice by the magistracy. Such had been the course pursued by the Roman Catholic Association, and it was quite obvious, that proceedings of this description must directly and inevitably tend to taint the source of justice itself, have the effect of mixing up displays of party-spirit in every judicial decision, and shaking men's confidence in the public tribunals of the law, from which alone all expectations of justice ought to proceed. He would not detain their lordships now, by detailing the effects which the measures of this Association had produced upon the country. Those effects would come more properly under discussion at a future period, when he should have to state to the House the ulterior measures which it was the intention of his majesty's government to propose for the adoption of the legislature. This he would do hereafter. But from all he had seen and read relative to Ireland, during the last two years, he was forced to arrive at this conclusion, namely, that he did not believe there was on the face of the globe any country claiming the denomination of a civilized country, situated as that country now was, under the government of his majes-

ty and the imperial parliament. In the discussions that had taken place on the subject of the Roman Catholic Association, several noble lords had expressed their decided opinion, that the measure which he was about to propose, was not necessary, because those ulterior measures announced in his majesty's Speech, at the opening of the session, were in themselves sufficient to put an end to the Association. That opinion must be founded on this notion,—that the Roman Catholic Association spoke the language and entertained the opinions of the great body of the Catholics of Ireland. He must say, he apprehended, from the number of persons in the habit of attending that Association, the nature of the speeches there delivered, and the measures to which all appeared alike parties, that the people of Ireland at large had been parties to the Association. Some noble lords had attempted to justify, in some degree, the extraordinary course which had been pursued; but the only grounds on which that course could be justified was, by admitting, that the claims of the Roman Catholics were founded upon right. Now, he recollected the several discussions which had taken place in parliament on the subject, and he did not remember a single instance, in which the Catholic claims had been argued on those grounds. They had invariably been supported as measures of expediency, not as a right. On the contrary, it was argued invariably as a question solely and exclusively of expediency, but never put forward as involving an abstract right. As the question of expediency stood then, the Roman Catholics could not be justified in being parties to this Association, with a view to effecting the removal of the civil disabilities under which they laboured. Under these circumstances, his majesty's government was fully justified in attempting to carry into execution that part of the Speech from the throne, in which his majesty says, that after the suppression of the Catholic Association, the legislature proceed to the ulterior measures therein recommended. While upon this subject, he would trouble their lordships with a single observation, in reply to a remark that had fallen from his noble and learned friend, respecting a supposed bargain or compact, in relation to this subject: and in reference to this declaration, he could assure his noble and learned friend, that when he first came to the consideration of the whole question, it

appeared to him to be absolutely impossible to take into consideration the condition of Ireland, with a view to the repeal of the Roman Catholic disabilities, without, in the first instance, putting an end to the Catholic Association. At the same time he could add, that he not only made no bargain or compact, but had held no conversation with any man on the subject. He proposed the present bill as a preliminary measure; the necessity for which was founded on the statements already made to their lordships. He considered any other mode of proceeding as inconsistent with the dignity of the Crown, and of parliament; and as absolutely necessary, in order to reconcile to the ulterior measure which he intended to propose the good and worthy men in this country, who viewed with dismay and disgust the violent and unconstitutional acts of the Association. He entreated their lordships to consider, that the eyes of all Europe were upon them, and that they should do nothing which could give any man ground to believe that, in the steps they were about to take, they were guided by any other motive than that of expediency and good policy. Before he proceeded to enter into a detail of the measures which he proposed for their lordships' adoption, he wished to call their attention to what had heretofore been done, in order to effect the same purpose with respect to this and other associations. It appeared that, as far back as the year 1787, there had been associations of some kind or other existing in Ireland. Immediately after that period, however, they had fallen so much into disuse, that, in the year 1791, even the names of the members were not known: they seldom exceeded six in number, and their names were not known, either to the government or to the country. Since that period they had rapidly increased; and though various measures were had recourse to, both by prosecutions at common law and under the Convention act, for the purpose of suppressing them, they were all unsuccessful. In the year 1824, the opinion was, that the Catholic Association was not illegal either in its constitution or form; a law, however, was proposed, in 1825, for the purpose of suppressing it.—This law was framed by some of the most eminent men of the present age, two of whom were now in the House of Lords, and his noble friend on the cross bench (lord Eldon) was then on the woolsack.—This law was found to be inefficient: and,

it appeared to him (unlearned as he was in those matters) not at all extraordinary that it was so. In the first place, it permitted fourteen adjourned meetings, at which any subject might be discussed; and, besides these fourteen days meetings, there were several subjects—such as religious worship, education, science, manufactures, and agriculture, which were allowed to be discussed at any meeting, and which did not come within the act. Under these circumstances, it did not appear extraordinary that it was impossible to carry the bill into execution. Indeed, the members of the Catholic Association openly declared their intention to evade it. He knew there were other reasons why that act had not been carried into execution; but there was a reason to be found, which arose principally from the divided state of the government with regard to Ireland. If they looked at the state in which the Roman Catholic question stood in parliament, from the period of the Union down to the present, they would see the prevalence of a growing opinion in its favour. Mr. Pitt had, in his time, considered it necessary to admit, that the laws enforcing ineligibility upon Catholics, ought to be reviewed for purposes of modification; and under these repeated assurances of different eminent statesmen, a Roman Catholic influence had undoubtedly grown up in Ireland, which it was high time to satisfy, by a reasonable change of policy. For some years after this subject had attracted parliamentary attention, there were reasons of a highly creditable nature, both to individual ministers and to parliament, why it would have been improper and impolitic to have brought the measure forward as a measure of the government; but, since the year 1811, these particular reasons had not been in full operation, and the subject, notwithstanding the divided state of the cabinet upon it, had been constantly discussed, and during all that time had been gaining ground. He was not prepared to describe here the mode in which the principle of a divided government had operated upon the Catholic question; but he defied any member of the government, at the period to which he referred, to deny that, whether the question before them was one of education for Ireland, one for an alteration of the criminal law, or one for the regulation of tithes, this division was felt to affect one and all of those topics; in fact, that none of them could come to be discussed, with-

out some reference to the great subject which was so long in agitation. The time had, he hoped, now arrived, when parliament was prepared to settle it, and he wished the present bill before them to be passed, without involving any imputation on any of the lords lieutenant, or their official advisers, who had hitherto refrained from applying the coercive power of the law against particular associations. It was not, he knew, their fault, that the act of 1825 had remained a dead letter, but owing rather to the evil of the divided condition of the government, which had been already so much commented upon.—He had now stated something of the nature of the Catholic Associations, and of the different laws which had been successively passed for their extinction, as well as the causes why they had not been enforced. This brought him to the description of his present measure, which had the same objects in view, and he hoped with a better chance of being carried into prompt effect. His majesty's ministers did not pretend that the measure now proposed to parliament was one which it would become parliament to adopt on every occasion; on the contrary, they admitted it to be an extraordinary measure, both in its principle and details. Their justification was, that as the occasion was extraordinary, so was it necessary the measure should be, which they wanted to apply as a remedy. Neither did they propose this measure as a precedent to be adopted on all other exigencies, but rather he might say, if a precedent at all, as one to be avoided, and only justifiable under the particular circumstances of the case. By the first clause of this bill, the Catholic Association was declared to be for ever abolished. By a subsequent clause, the Lord-lieutenant had the power of declaring any association or announced meeting to be illegal, and of appointing magistrates to proceed and disperse such association or meeting, if it should assemble contrary to his notice. The Lord-lieutenant might appoint any number of magistrates he pleased to execute this duty, but not less than two. These would have the power of ordering those who might attend at such meetings to disperse; and, in case they did not depart within a quarter of an hour, persons so offending would be liable to three months' imprisonment, upon conviction before two magistrates. There were other clauses which went to give efficacy to the bill; such as the prevention

of the collecting of money in the shape of rent, at or through any of the meetings which should be deemed by the Lord-lieutenant illegal. His noble friend had said, that he could see a road open to drive a coach and four through this act. If that were the case, he hoped his noble friend would enable him to close it in the committee; for, as it was on all hands desirable that the operation of the bill should be effectual, no assistance ought to be withheld which tended to that effect.

The Marquis of *Clanricarde* expressed his gratification, that this bill was not submitted to them upon its own exclusive merits, but was to be coupled with others not of a coercive nature, and made part and parcel of a great measure for the pacification of Ireland. If this bill were to stand alone, he would pronounce it unnecessary, unconstitutional, and dangerous; inasmuch as it would put an end to the enjoyment of the British constitution in Ireland. He was convinced, that as long as the laws for the exclusion of the Catholics remained in force, any measure which could be introduced into parliament would be inadequate to the suppression of the union, and the sympathy of feeling which existed throughout unhappy Ireland. Unless they could suppress the heart-burnings—unless they could destroy the best and noblest feelings of the human heart, which spurned at oppression—they must fail in putting an end to the union which subsisted throughout all classes of people, and which was produced and nurtured by their misfortunes. The present bill had, however, one merit, and of no slight importance, in his eyes; and that was its impartiality. It was equally directed against Catholics and Orangemen. He did not seek to justify associations in general, nor did he approve of the collecting of rent. He owned that they were perfectly incompatible with any principle of good government; but he must say, that he thought the Catholics had adopted that course, because the Orangemen had done so before them; and, when the noble duke spoke of the mischiefs of such societies, he should be reminded, that there were societies of the same kind in this country as well as in Ireland. He trusted that the principle of impartiality would be fully acted upon, and administered with strict impartiality. Although he acceded to the propriety of putting down the Catholic Association, he could not but

think that it had been of some advantage to Ireland, and that the great measure which was shortly to be proposed was owing, in no trifling degree, to the embarrassment under which the government felt itself, with regard to that country. However, from whatever cause it might have arisen, he was willing to give this measure, as the forerunner of the other, his cordial support.

The Earl of *Longford* objected to the Orange and the Catholic Associations being compared together. There was not a single point in which they were alike. When, three or four years ago, parliament had declared assemblies like the Catholic Association illegal, the Orange societies had separated immediately; but the Catholic Association, in spite of the law, and in defiance of its provisions, continued to carry on its operations, and thus to deride and insult the legislature. The Catholic Association had arrogated to itself all the power of a parliament, and had insolently derided the parliament and its laws; and yet it was compared to the Orange societies, which, on the expression of the opinion of parliament, had dissolved themselves at once. The first had shewn a clear determination not to submit to the law—the latter had at once yielded obedience to it. Besides, the Catholic Association had usurped a prerogative which had hitherto been considered as the peculiar attribute of the Crown, and had affected to confer honours on their members. He knew that all this was mummery, but it shewed the *animus* of the Association, and formed a sufficient ground for passing a law to suppress an Association arrogating to itself such power. It pretended to be a sort of government; and there was no precedent for such a thing, except in the existence of the Jacobin club, which, at the time of the French Revolution, exercised the powers of a government at the same moment with the Constituent Assembly.—Even there, however, in the confusion which then prevailed, the co-existence of the two was deemed impossible, and, after a struggle, the club was suppressed. The courts of law had lately held, that a member of any of those joint-stock companies, which had lately inundated the country, was personally responsible for any injury the company might commit, or for any contract they might enter into. The same principle, he thought, ought to be applied to the Catholic Association.

Every member of it ought to be made personally responsible for any wrong committed by the body. Their lordships had little idea how beneficial such a measure would be, nor what was the amount of injury done by the Association. The comparison between the Catholic and Orange societies, he repeated, was unjust. Not only was there no danger in the latter, but their whole intention had been to protect the government and the people of the country from being overpowered by that Association, without the existence of which this bill never would have become necessary.

Lord *Teynham* stated his conviction, that the Brunswick clubs were as dangerous as the Catholic Association. Several members of those clubs, and some of them members of parliament, talked of walking up to their knees in blood, and boasted that government would not dare to introduce any measures for the relief of the Roman Catholics. It was the duty of the legislature to put down all such societies; for, if the Brunswick clubs were permitted to use such language, ministers would be unable to act. The Irish association had certainly been guilty of many unwarrantable acts, but they had an excuse for their violence, which the Orange clubs could not plead. Since the Union those advantages had been withheld from the Catholics which they had been led to expect. He congratulated the noble duke on the victory which he was about to achieve, a victory which, in its effects, would be more glorious, and procure for him more lasting gratitude and admiration, than even the victory of Waterloo.

The Earl of *Guilford* said, he rose for the purpose of expressing his disapprobation of the measures contemplated by his majesty's government, and his firm and unalterable attachment to the constitution in Church and State, which had been established by solemn contract, between those who held the power of the government and the people, and which the people felt it at once their happiness and their duty to obey. It was astonishing to conceive the surprise that was manifested throughout the kingdom, at the sudden bursting of the intelligence of this measure in favour of the Catholics. And the surprise was greater, as the measure originated with the very men who had hitherto declared themselves the great advocates of the Protestant interest. Those who had

heard those declarations had placed implicit reliance upon them, believing the men who uttered them to be the steady advocates of the Protestant cause. Their confidence had produced such a degree of security in their minds, that the absence of petitions against the measure might most easily be accounted for. The secrecy which the noble duke had observed, had rather increased than diminished that confidence. Now, such secrecy was unjustifiable, if the noble duke had, for any length of time, entertained the intention of bringing forward any measure in favour of the Catholics. It was impossible to conceive that, on a subject of such vital importance, he had not, either shortly after his accession to office, or at least when he made his last speech last session upon it, some measure in his contemplation of the nature of that which he was now about to propose to their lordships. He did not so much complain of the change in the noble duke's sentiments, as of his conduct in concealing that change, when the people were relying in confidence on the opinions he had formally expressed. When ministers, in the prosecution of such measures, thought it their duty to preserve such a secrecy concerning his real intentions, they must make up their minds to lose the confidence of the people. In arbitrary governments this loss did not follow. In a free government, however, they must expect to lose all the confidence of the people, and must never afterwards hope to be able to establish any link of attachment between themselves and the country over which they were appointed to preside. Their lordships might recollect that in the course of last session, he proposed some measure with respect to securities. He was too great a novice in State politics to foresee that any measure like the present was in contemplation. What use was it for their lordships to pass this bill to protect the constitution, if directly afterwards they were to pass another to destroy that constitution? He knew it was said, the constitution was to be destroyed with securities; but he could not conceive how the two expressions could be consistently used. He knew not how destruction and security could be applied to the same thing. It had been said, there was danger in the present state of things; but he confessed he did not see it in such a form as to render the measure in contemplation necessary. He was

willing to admit that the state of Ireland was bad; but that was owing to the conduct of the Catholic Association. He could not but lament the disorder which reigned in Ireland; but he did not believe there was any danger existing any where but in the attempt to abrogate the fundamental laws of the realm. As to any other danger, he was convinced that a patriot king, relying on a loyal and faithful people, might most easily overcome it. There never was a measure which more decidedly went to abrogate the essential parts of the constitution. The bill for the suppression of the Catholic Association was left unexecuted, until those mightily dreadful and sanguinary societies the Brunswick Clubs had associated, to obtain that defence which the law of the land did not afford them. He did not believe that these Clubs had violated the strictest letter of the law, or of their allegiance. Their lordships must recollect, that allegiance and protection were reciprocal; and he did not think it fair to direct this act against the Protestant societies. He lamented that the sense of the country was not taken upon the question, by a dissolution of parliament; but as that was not to be done, their lordships must watch over the measure. The safety of the church was considered to be most peculiarly intrusted to their lordships' care; more especially as the bishops now sat in their House. However that might be, the question was now put on an entirely new ground; and the constitution was to be subverted by those who had formerly upheld it. It was possible that the representatives of the people might have changed their opinions. Some of those representatives had been returned to their present seats almost on condition of opposing the Catholic claims, yet they ventured to retain their seats, though they had changed their opinions. Some had undergone a sudden change within the last month. Were the people to be condemned to a perpetuity of evil, on account of the change thus wonderfully operating on the minds of some of their representatives? He maintained that the circumstances under which the measure was now brought forward, stamped it as one of power, and not of justice. He would not trouble their lordships any longer. He should only say, that the great question was, whether excuses of this sort were to be admitted into the two Houses of par-

liament, to violate the specific rights of the great majority of the people? If this question was decided in the affirmative, he hoped that the old bell of St. Paul's, which only rang on occasions of great national calamity, but which, when it did ring, was said to reach the ears of the sentinel at Windsor-castle, would be employed to ring the funeral knell of the Protestant churches of England and of Ireland, and of the rights and liberties of his fellow-countrymen.

The bill was then read a second time.

HOUSE OF COMMONS.

Thursday, February 19.

ROMAN CATHOLIC CLAIMS.—PETITIONS FOR AND AGAINST.] Mr. *Jonathan Peel* rose, pursuant to notice, to present a petition signed by 8,500 inhabitants of Norwich against further concessions to the Catholics. He assured the House, that the petition was worthy of its attention, as well from the respectability as the number of the persons whose signatures were affixed to it.

Mr. *Leycester* said, he was at a loss to know what claim the petition just presented had to the distinction of a preliminary notification. If the petitioners had stated any thing of importance in their petition, it might have been a reason why this distinction should be bestowed upon it. If they had proposed any well-digested plan, instead of the measure proposed by his majesty's government, it might then have been entitled to the significant notice given by the hon. member; but it now appeared that it contained no such suggestion, but was drawn up in the ordinary tone and language of desperate delusion. It was only one instance more how confident men could be in their own opinion—so confident as to reject the opinions of the best and greatest men,—so confident as to reject the opinions of those persons by whom they had been used to swear, until the reason of those persons taught them to retract and to abandon their errors,—so confident as to wish to overthrow the duke of Wellington, and to destroy his government,—to pull down one duke and to put up another;—so confident as to shut their ears to the loud calls for a measure, which justice and policy alike required. Of that measure he must be allowed to say one word. His opinion was, that it was the best, the purest, the most beneficent mea-

sure since the Revolution. It was a measure of justice, of policy, of charity. It was not an English measure, nor a Scotch measure, nor an Irish measure—it was a British measure. It was not a Protestant measure, nor a Popish measure,—it was a Christian measure. It was a measure calculated to raise Ireland from that horrid abyss of misery and wretchedness into which she had so long been sunk, to add strength and stability to the empire, and to surround the reign of his majesty with additional lustre. What reign would now present a more glorious page in the history of the world? The morning of its days had shone upon the utter defeat of the greatest foreign foe that had ever threatened this country, and its evening would be marked by the destruction of the most formidable of domestic enemies—the demon of religious discord. And how had his majesty been able to confer these benefits on the people? By adding sound intellect to patriotic feeling—by having in his service a man like the noble duke, who had a head to conceive, and a hand to execute; and a man like the right hon. Secretary of State, who was open to conviction—who had the manliness to avow his conviction, and to perform his duty, in spite of the cruel kindness of his friends, who wished him to stumble on in their darkness, rather than walk erect in his own light. To these illustrious persons he would say, “*Macte nova virtute*”—Go straightforward. Turn neither to the right nor to the left for any man; but above all things take no counsel from the camp of the enemy. Be proof against intimidation, however nonsensical—against passion, however Protestant—against prejudice, however obstinate. As the duke of Wellington had well said, the less they troubled their heads about securities the better. The measure might be trusted upon its own recognizances. There could be little apprehension that it would injure the Protestant establishments, coming as it did from those who by long experience had proved themselves to be the greatest friends to those establishments.

Mr. Hudson Gurney said, he thought the hon. gentleman who presented the petition, as well as his fellow citizens of Norwich, who had signed it, had some reason to complain of the hon. member for Shaftesbury, who found fault with the language of the petition before he had heard it read. From rather a longer

acquaintance with the city of Norwich than that of the hon. member opposite, he might state, that there were two parties there constantly and violently opposed to each other, under the guidance of the leaders of certain clubs, generally, as usual in such cases, persons more abounding in zeal than in discretion. This petition was carried about from house to house, and the representation made was, of course, that the Protestant establishments of these realms were in the most imminent danger. Here, however, he must again controvert the position of the hon. member for Shaftesbury, who accused the citizens of Norwich of an arrogant attempt to shake the administration of the duke of Wellington, as he thought, from local and personal knowledge, he might venture to assure the hon. member, that, if his grace the duke of Wellington had condescended to honour the citizens of Norwich with his confidence and had signified his pleasure to them, through the right hon. Secretary, the brother of the hon. member, one half of the procurers of signatures might have been persuaded to an equal activity in getting up a petition in the contrary sense. But the truth was, that the people of Norwich, and, he believed, of this whole country, were really, essentially, zealously Protestant; and the natural and necessary inference was, that there could not exist a shadow of a danger, in conceding to a small body of English Catholics their civil rights, or of completing the Union with Ireland, by receiving a limited number of representatives from that country of another religion; and those persons who apprehended, or stated themselves to apprehend, any great peril must have a strange misgiving, either of the strength or the excellence of the institution they profess to support.

Lord Tullamore said, that at a time when the constitution was attacked on all sides—when those who had been considered its supporters were labouring to sap its foundation—it was the duty of every individual in the House, but more particularly for those members who were connected with Ireland, fearlessly to come forward and state what were their opinions on this subject at this awful crisis, and the motives which actuate them in giving their votes. The right hon. Secretary for the Home Department, thought proper, some nights ago, to lay before the House

communications which had been made to his majesty's Government, respecting the state of Ireland. Now he asked that right hon. gentleman, in common candour, whether he could not have brought forward much more alarming statements at any time, during the last ten years? That right hon. gentleman had told them that, ever since the last decision of that House, with respect to the Catholic claims, he had determined never more to be in a minority on that subject. The new light had burst upon the right hon. gentleman in the propitious month of July, and the miracle of his conversion was consummated in August. This might be all very well; but he grieved that such was the case, for the Protestant cause had thereby lost one of its most able advocates. And yet the communications which the right hon. gentleman had read originated in the month of September, and could therefore have no part in a conversion which commenced in July and was consummated in August. The right hon. gentleman had stated, that he had no further information to give, and that it would be inconvenient to answer any more questions; but he would tell the right hon. gentleman, that his majesty's ministers would find it much more inconvenient to stifle the indignant voice of the Protestants of Ireland. He regretted that circumstances had prevented his attendance during the early stages of the bill for suppressing associations in Ireland; but he would now say, that that measure bore all the marks of that dangerous delusion which had beset the government. Though apparently intended to put down the Catholic Association, it was in fact levelled against institutions of the most loyal character. That the Catholic Association ought to be suppressed, no one who had seen the inflammatory speeches of its members could doubt. There could be no doubt that to suppress it, all risks ought to be run. But was this a time to remove the safeguards of our glorious constitution, when it was admitted that danger existed, and when the arch-agitator of Ireland had hurled the gauntlet of defiance at the very door of that House? What was the cause of the disturbances and outrages in Ireland? Might they not, in a great measure, be attributed to a superabundant population, who were trying to get possession of the land? He believed that there would, some time ago, have been much less danger in admitting

a few Catholics to seats in that House, than in allowing the elective franchise to remain as it was in the hands of an ignorant, priest-ridden population. If the present state of affairs in Ireland was to be attributed to any one individual more than to another, it was to the right hon. Secretary of State. It might have been prevented: the Catholic Association might have been crushed. How had the Catholic Convention been crushed by a former attorney-general? By the common law; and by the common law, too, the Association might have been crushed, if it had not been, in a manner, legalised by what was called the Algerine Act. And here let him make an observation respecting the inflammatory, the rebellious, the treasonable language by which the priests had profaned the very altar. The priests had endeavoured to raise a mutiny among the soldiers, and to seduce the military from their ranks. This had taken place in Naas, and no notice had been taken of it. Under such circumstances, nothing could be more impolitic than to remove the disabilities which it had been thought necessary to impose upon the Catholics. Let the elective franchise be properly regulated, and the influence of the priests broken; and then, and not till then, let them see whether that which was now recommended could be effected.—He could not help adverting to the conduct which had been pursued by the government. He regretted the change which had taken place in the right hon. Secretary, who until now had been the distinguished and triumphant upholder of the constitution. He did that right hon. gentleman the justice to think, that he was actuated by an imperious sense of duty, and that he had most unwillingly embarked in his present course; but the country loudly, deeply, and bitterly complained of the deception and delusion which had been practised on it. To begin with the hon. member for Derry (Mr. G. Dawson). His speech at Derry, considering the circumstances, was uncalled for and unnecessary. It had been made at a festive board, where the hon. member was surrounded by constituents not his own, and where, though present as a mere individual, he had risen to wound the feelings of his Protestant hearers. Well might they exclaim "*Et tu Brute!*" Then the right hon. Secretary had made a triumphant progress through the country, during which

a generous and confiding people had paid that homage which they thought due to him as the champion of the Protestant cause. The right hon. gentleman received that homage, though at the very moment he knew that he had abandoned all claim to the title of the Protestant champion. He wished to speak of, as he had always felt towards, the right hon. gentleman. He believed that he had acted in all sincerity, and had been induced, perhaps, to take this course by an excess of charity—that blessed characteristic of our religion. If so, the right hon. gentleman was in the situation of those who, having studied religion most deeply, ended by becoming atheists. He now came to the part which the noble duke had taken in the present transactions. In July last, he understood the noble duke to have declared that his opinions remained unchanged respecting the Catholic question; and, moreover he understood the noble duke to have said, that if he were obliged to live in Ireland, he would become a member of a Brunswick Club. In the letter of the duke of Wellington to the Catholic Archbishop, shortly before the meeting of parliament, he recommended that the question should be buried in oblivion, and that the intermediate time should be devoted to the considering of the settlement of it. It was manifest, therefore, that at the time of writing that letter, there was no intention of proposing the measure. He thought that these circumstances proved that delusion had been practised on this question. There was one other topic to which he wished to advert; namely, the removal of the late Lord-lieutenant of Ireland. That noble marquis had won golden opinions from all sorts of men in that country; and, as government had resolved upon proposing this measure, he was at a loss to account for the recal of the noble marquis. He trusted, however, in justice to that noble person, that full information would be given to the House, explanatory of the circumstances.

Mr. *W. Smith* said, that his hon. friend, the member for Newton, had so accurately stated what had occurred at Norwich, that it was scarcely necessary for him to offer a single word. He did not doubt the respectability of the signatures to the petition, but he begged leave to say, that he had been many years acquainted with the city of Norwich, and his opinion respecting the necessity of granting emanci-

pation was well known there; yet he had never felt any hesitation to meet the citizens of Norwich at the poll-booth, and he had never met with any thing more than a slight attempt at opposition, which he himself had been able completely to put down; and, if there should be any necessity to go to the poll to-morrow, he had no sort of fear as to the result. He would inform the House of the reason why no petition of an opposite nature to the one now under consideration had been presented. A body of persons calling themselves the friends of civil and religious liberty declared to him, that if there were any occasion, under the circumstances of the case, to petition parliament in favour of the Catholics, a petition to such effect would be prepared; but seeing that the question had been taken up by his majesty's ministers, and as they believed in all sincerity, they thought it would be superfluous to petition. He wished to say one word with respect to the general question. The noble lord, and a variety of other gentlemen chose to call themselves exclusively the Protestants. Now he begged leave to say, that he believed himself to be quite as good and as zealous a Protestant as any of them. He was quite as adverse from, and as opposed to—and he believed a great deal more—the theological opinions of the Roman Catholics, than any of those gentlemen. He would not, therefore, suffer any gentlemen to assume to themselves the exclusive name of the Protestants, because they would confine the Roman Catholics within limits in which, he thought, no sect of religionists ought to be confined. He wished for the preservation of the Protestant religion, only as long as it could maintain itself by its own strength and by argument, and not by those securities, as they were called, which were no less contemptible than unjust.

Mr. *Sturges Bourne* expressed his disappointment on hearing the petition read, after the notice which had been given respecting it. He had seen, the other night, the noble lord who represented the county of Buckingham present petitions from almost every parish in that county, without any notice given on the subject; but, as a notice respecting this petition from Norwich had been given, he had expected to hear the petitioners state that they were well acquainted with the state of Ireland, and with all the circumstances of that

country which bore on the tranquillity, peace, and prosperity of this; and not merely that the good people of Norwich were sincerely attached to the Protestant religion, and entertained a great abhorrence of the Roman Catholic faith. He did not think that such a petition required any notice.

Mr *Jonathan Peel* apologized to the House, if he had been guilty of any impropriety in giving notice of his intention to present the petition. He had done so merely that his hon. colleague, and other gentlemen who were connected with Norwich, might have an opportunity of saying what they might think proper on the subject.

Mr. *Leycester* rose to repel the attack made by the noble lord on the right hon. Secretary, for having deluded the people, with respect to the sentiments he entertained on the Catholic question. The right hon. gentleman did not do any thing to delude any one; and if there was any person deluded, he was deluded solely by his own folly. That right hon. gentleman remained silent when bigotry endeavoured to provoke him to declare his sentiments. From that silence he (Mr. *Leycester*) had drawn the inference, not that his sentiments were the same on the Catholic question, but that they were changed; and he had stated that such was the inference he drew, in a speech which he delivered at a Whig club in Cheshire in October.

Lord *Ebrington* presented several petitions from Devonshire, in favour of Catholic emancipation. The noble lord hoped he might be allowed to express his gratification at the prospect which now opened, of the prayer of these petitioners being carried into effect, by a final and satisfactory settlement of the Roman Catholic claims; and, in expressing his joy at this prospect, he could not refrain from paying the tribute of his gratitude and applause to the government; and to no member of it more than to the right hon. Secretary. Convinced as that right hon. gentleman now was of the necessity of the measure, he had done himself the greatest possible honour, by the manly way in which he had come forward and avowed his opinion. While he was on his legs he might, perhaps, be allowed to say a few words in reference to a bill which had passed that House. Disapproving as he did *in toto* of the provisions of that bill, he had yet abstained

from taking any part in the discussions respecting it, because he was unwilling to offer any opposition to the measure, which he was told formed a necessary preliminary step to the great measure of conciliation. Now, however, as that bill had passed, and had become inoperative, as far as the Catholic Association was concerned, by the dissolution of that body, he trusted he might be allowed to express his opinion on the subject. They had heard much of the violent and seditious language used in that association. He had taken no part in the discussions of that body, and he certainly did not mean to defend every thing that had occurred there: but he believed that more violent, more intimidating, and more seditious language than had ever been uttered in the Catholic Association had been expressed at some of the meetings of the loyal Brunswick clubs. He trusted that, as by the provisions of that bill large powers were given to government, they would be employed in putting down all dangerous associations: and he hoped that, as one association against which that bill was directed, was put down, those to whom the carrying of its provisions into effect were intrusted would put down all associations which should be found dangerous to the public peace. He should not do justice to the motives which led him to join the Catholic Association, if he did not express his opinion, that the influence established by the Association had mainly contributed to preserve peace and tranquillity in Ireland. He believed, on his conscience, that while the Association stirred up all the energies of the Catholic population to support their common cause, it at the same time taught them not to look to brute force for relief, but to that source through which it could alone prove a benefit to themselves, and a blessing to the empire at large.

Mr. *Brougham* presented a petition from Bristol, in favour of Catholic emancipation. He believed there was another petition of an opposite nature from the same city which was more numerous signed. The petition, however, which he had the honour of presenting, was signed by one thousand seven hundred persons; and he would take upon himself to say, that there were many persons among the petitioners of the highest respectability. The petition had only been allowed to remain two days in Bristol,

Had it continued longer there, it would have been signed by three or four times the number.

Mr. *Bright* said, that, though opposed to the opinions expressed in the petition, he thought it his duty to bear witness to the respectability of the signatures. He was bound at the same time to say, that the majority of the people of Bristol were opposed to further concessions to the Catholics. His own opinion had always agreed with theirs on that subject; and he saw no reason to alter it from any circumstances which had arisen since the question was last discussed.

Mr. *Hart Davis* concurred with his hon. colleague, that there was in Bristol a decided majority against the Catholic claims. The petition which was now lying for signature in that city had already twenty-five thousand names affixed to it.

Mr. *Brougham* said, he was commissioned to present a petition of an opposite nature from an individual of the name of John Joseph Stockdale. The petition was respectfully worded, and he thought it his duty to present it to the House. The petitioner stated, that he had been more than any other person instrumental in circulating books, tracts, and other pamphlets against the claims of the Roman Catholics to political power, and that in so doing he had expended large sums of money in support of Protestant ascendancy. He further stated his belief, that there existed a conspiracy in the cabinet and in the parliament, having for its object the introduction of Popery and misrule into this kingdom. He advised that all traitors should be dismissed from the king's councils, and feared that if his advice were not acted on, the most lamentable consequences would ensue; and that, amongst the rest, the allegiance which the people of England at present owed to his majesty would be cancelled. The learned gentleman observed, that the petitioner made no allusion to the House of Savoy, which was supposed to be next in succession in the event of the reigning family abdicating, nor did he pray for the dissolution of parliament, but in every other respect his sentiments perfectly accorded with the doctrines which had been promulgated elsewhere. However offensive the language of the petition might be to the feelings of individuals, there was nothing to prevent its being received by the House.

IMPRISONMENT FOR DEBT ON MESNE

PROCESS.] Mr. *Hume* said, that it was now two years since he had had occasion to call the attention of the House to the defective state of the Law respecting debtor and creditor. In the course of the last three sessions, he had selected from the papers on the table of the House, details which shewed the extent and magnitude of the evil of which he had complained. He had stated the inferences to be drawn from these details, and he had expressed a hope, that ere this, his majesty's government would have seen the propriety of something being done to put a stop to a grievance of a very serious nature. The evil was extensively felt, both immediately and in its collateral and distant effects. Whilst this country boasted advantages superior to all others — whilst it specially boasted the superior protection afforded to the person of the subject — the fact was, that with respect to debt, there was no country in which personal liberty could be so easily destroyed, and upon such trifling grounds, as in England. Whether strictly by law or not, it was undoubtedly the fact, that a practice had grown up by which an individual, on the plea of debt, could confine another, whether that debt might prove on investigation, to be correct or not. By the present practice, any individual was allowed, on oath, to charge another with debt, and to arrest him, upon an affidavit which could not be taken or admitted in a court of justice, for in such a court the plaintiff would not be allowed to make affidavit in his own cause, or to give oath whether the debt was due or not. He did not intend to state all the hardships growing out of such a practice; but he must say, that it had been his expectation, and he believed the expectation of the public, that the Commission of Law Inquiry would have taken the whole matter under its consideration. At least, he felt convinced, that it was quite impossible that the right hon. Secretary for the Home Department could be aware of the great extent and serious nature of the evils under the existing system, and not feel desirous of putting an end to them. There were now lying on the table of the House, returns on the subject for four successive years. The object of the motion he was about to submit to the House was, to bring upon the table a continuation of those returns, in the same form as those of which the House was already in possession. When the

whole of the papers should be on the table, they would establish whether there had been an increase or a decrease of the evil, and would justify further measures in relation to the subject. A strange notion unaccountably prevailed in this country, that to imprison the person was the best mode of obtaining the payment of a debt, and in every respect better than having recourse to the effects and property of the individual. But the chief evil of the practice existing in England was, that the families of debtors were destroyed. Persons who were not criminal, but only unfortunate, were subject to arrest, and were exposed to the contamination and degradation which were the necessary consequences of confinement in the gaols of this country. In many respects, it was shameful, to allow the gaols to continue in their present state. He had not pressed upon the House any arrangement for the abolition of arrest for debt upon judgment, or after due inquiry by courts of law; but he had pressed on the House, and he did expect that the right hon. Secretary would also have pressed upon it, the rational and fair proposition of abolishing the power of arrest under Mesne Process. In Mesne Process the allegation might be from spite, and under a consciousness that the imputed debtor did not, honestly, owe a single shilling. The result of the returns on the table was a conviction, that the present state of things could not long continue. In the five principal prisons of the metropolis—the King's Bench, the Fleet, Whitecross-street, the Marshalsea, and the prison in Horsemonger-lane—there were committed, in 1827, not less than five thousand, nine hundred, and fifty-nine prisoners for debt; and on the 1st of January, 1828, there were one thousand, five hundred, and fifteen persons within the walls of those prisons. Those who knew the want of accommodation in the prisons might judge of this fertile source of demoralization. Four thousand, one hundred and seventy persons were in confinement upon Mesne Process. One thousand, seven hundred and ninety-nine were committed upon judgments. The liberty of that number of individuals had been sacrificed without that care and attention, which in all other cases, the constitutional liberty of Englishmen had a right to expect. In Scotland, France, Holland, America, and even in our colonies, the Canadas, nothing of the sort could take place. In

no country but England did this practice exist. It was a great reflection on the right hon. gentleman, that he had not taken into consideration these evils. He saw no reason why, in a matter so simple, he should not have directed the attention of the law officers to the subject. He begged particularly to press on the right hon. gentleman, that if he would agree to increase the sum, he would immediately lessen the evil. Of the number he had mentioned, four thousand, one hundred and fifty, were for debts under 50*l*. If, instead of 20*l*, the sum was raised to 50*l*, individuals would be less willing to arrest. He had consulted the most respectable attorneys, and there was not one of them who had not given it as his opinion, that arrest on Mesne Process ought to be abolished. He thought it right, also, to notice the extent of imprisonment, that had taken place under the Court of Requests during the last five years. The number was considerable, but by no means so large as he had expected it to be. Still the House would bear in mind, that these unhappy persons were confined for debts averaging only sixteen or seventeen shillings. Thus, men were confined one day for every shilling they owed, while the country was, in most cases, put to the expense of supporting them while in prison, and their parishes burthened with the maintenance of their families. It appeared also by the returns, that there were not less than one hundred and sixty-four persons in England who had the power of committing to gaol upon allegation of debt. In Ireland, the evil, if any thing, was more severely felt. By the returns, it appeared, that of six hundred and sixty individuals, three hundred and fifty were confined for debts under 20*l*.; one hundred and twenty-nine under 50*l*.; and the remainder for debts above 50*l*. In Ireland, the expense of the gaols was very considerable, and the five prisons of Dublin were a serious charge to the government. He believed, that three out of every four arrests proceeded more out of spite or revenge than from any hope of payment of the debt. It appeared, also, that in the year 1827, there had been twenty-three thousand five hundred and fifteen writs, issued from the Secondary's-office of London and Westminster, of which eleven thousand, three hundred and seventeen had been executed. In addition to these, one thousand, four hundred and

eighty-nine had been issued by the Lord Mayor's Court in the city; the total number would thence appear to exceed twenty-five thousand and four. The expenses of these arrests, including the attorney, the sheriff's officers, the lock-up house, and incidents, could not be estimated under 59,000*l.*; and much of this fell on the poorest class of people. When a person was driven to the Insolvent Act, to get clear of such debts, the expense was about 15*l.*; with the loss of time and character, and the ruin of the family of the debtor, without any benefit to the creditor. The Society for the Relief of persons imprisoned for Small Debts, had, in the last year, discharged forty-three thousand, three hundred and ninety-nine debtors, involving the actual comforts and welfare of one hundred and forty-seven thousand, six hundred persons. The House would be surprised when he stated, the small sums at which they were relieved, that a law could exist tolerating incarceration. Including all the expenses of the Society, the average sum to relieve these forty-three thousand, three hundred and ninety-nine debtors, was only 2*l.* 14*s.* 8½*d.* He had been informed, that some societies had come to the resolution of not arresting for debt, the expenses being so great. This was a sad state of the law, and he trusted, the right hon. gentleman would permit a bill to be brought in to remedy the evil. In the mean time, he would move for a "return of the number of prisoners confined for debt in the five gaols of the metropolis, in the year 1828, distinguishing those in custody on Mesne Process, from those on judgments entered up, and for costs of suits," &c.

Mr. Secretary *Peel* said, he had not the slightest objection to the production of the returns. He acknowledged the subject to be important, and deserving of serious consideration; but he could not admit that there was any ground of reflection on the government. It was often very difficult to foresee all the consequences of a wide and extensive alteration of a law which had existed for ages. The Solicitor-general had last year introduced a bill, depriving a creditor of the power of apprehending a debtor for any sum less than 20*l.* The law was formerly confined to sums under 10*l.* The proper course would be, to watch the progress of that measure; and if it was ascertained that no practical inconvenience resulted from it,

the hon. member would then have a much better ground for proposing the extension of its principle, than any arguments derived from theory and inference made *à priori*. He was certainly inclined to think, that the best mode of coming to a satisfactory conclusion on the subject, would be by directing the attention of a commission to it. He begged to remind the hon. member, that the consequences which were predicted from legislating on these matters did not always follow. Nothing at first appeared more equitable than the practice of the Insolvent Court, where the debtor undertook to give up all his present property, and to abandon his future gains, until his debts were liquidated. The hon. member must, however, be aware, that even in the working of the Insolvent Debtors' Act, great frauds were committed, and that the sums actually recovered hardly, on an average, exceeded a farthing in the pound. This operated to the great destruction of that fair confidence and credit between man and man, which ought to exist in the transactions of life. The legislature ought to be cautious in interfering in such subjects. In saying this he was not giving any opposition whatever to the motion; and he would further say, that if no inconvenience should result from the recent alteration of the Law of Arrest, the principle might be further extended.

Mr. *Hume* contended, that a law enacting and enforcing, in all cases, a *cessio bonorum* would be much more beneficial for debtor and creditor than the present system of imprisonment, which, in most cases, ruined the debtor, and gave the creditor no advantage.

Mr. *Robert Grant* was of opinion, that the whole of the law relating to imprisonment for debt, was deserving of serious consideration. With respect to the Insolvent Debtors' Court, it was high time to revise the whole system, when it appeared that the proceedings in those Courts did not realize one farthing in the pound for the creditor.

Mr. *Lott* expressed a hope, that such a revision might take place, and that means might be devised for allowing debtors to surrender their property without the ruin and disgrace of being obliged to remain in a prison for a certain time as at present; but if arrest on Mesne Process were abolished, he hoped some summary process would be devised for recovering small

sums, otherwise the remedy would be a protection to the debtor, at the expense of the honest creditor.

The motion was then agreed to.

HOUSE OF LORDS.

Friday, February 20.

ROMAN CATHOLIC CLAIMS—PETITIONS FOR AND AGAINST.] The Marquis of *Downshire* said, he had a petition to present in favour of the Catholic Claims, which was forwarded to him from Ireland by a gentleman who stated himself to be an alderman of the city of Limerick. The petitioner, with whom he was perfectly unacquainted, stated, that, up to the present period, he was a violent opposer of the Catholic claims, and had been an official member of a Brunswick club; but he expressed his contrition for the part he had acted, and now declared himself a perfect convert to the contemplated measure of relief. The petitioner, who stated himself to be Alderman Watson, concluded by declaring his opposition to the Catholic claims to have arisen more for the purpose of pleasing his majesty's government, than with a view of keeping down the Roman Catholics.

The Earl of *Limerick* said, that from his knowledge of the gentleman whose signature the petition bore, he could not sufficiently express his astonishment at its contents; for, if there were a man more than another hostile to the Catholic claims, he should expect the worthy alderman to be the man. The whole tenour of the petition appeared to him extremely marvellous. He could not avoid expressing his strong suspicions that it was a hoax.

Lord *King* observed, that, whatever reasons the noble earl had for thinking the petition to be a hoax, he thought he could give him one good reason for its not being such; for, if so, it would have been placed in the hands of one of the late converts, and not given to a noble lord who had so long advocated the cause of civil and religious liberty.

Lord *Holland* rose to present sixteen petitions, all praying their lordships to take the laws into their consideration, with a view to their repeal, which imposed disabilities on the Roman Catholics. Thirteen of these petitions were from Protestants of this part of the united kingdom, the other three were from Roman Catholics in different parts of Ireland. He stated the

object of all the petitions generally, in order to save their lordships and himself trouble in repeating it in detail; but there were two of the petitions to which, on account of the character and station of those who had signed them, he thought it incumbent on him more especially to call their lordships' attention. The first of those two petitions came from that respectable body of men, the Dissenting Ministers of the three denominations in and adjoining to the Metropolis. It was true that this body was not invested with any legal authority, it had no corporate seal, no legal corporate existence—it received no actual official emolument—it held no official situation—it had no authority over others—no claim even to any authority, except that derived from the piety, the virtue, the great learning of many of its members. He was sure that they themselves would be the last men to assume any authority they did not legally possess, but he might say for them, besides that authority which they possessed, and their own virtues, that they were persons who had long been recognised by the government, and that they were the descendants of those men who had separately negotiated, through the medium of the illustrious Locke, with the government, for that Toleration Act which was the corner-stone of that great edifice he hoped now to see completed. They were the successors and representatives of a learned and virtuous body of men, long eminent in our history for their attachment to the great principles of civil and religious liberty, and for their affection and loyalty to the family on the throne. It was not his intention to enter at large into their tenets; but were any of the right reverend prelates in their lordships' House, they could allow him to say, that there was no class of men in the country more firmly devoted to his majesty's family, and more conspicuous for their learning, than the Protestant Dissenters. So strongly had their attachment to that family been evinced on many occasions, that it was customary for its members, on their accession to the throne, to receive, from the Protestant Dissenters, at the throne, the congratulations of that body. They were the descendants of the old Protestant Dissenters, who had long been distinguished for their wealth and respectability, and who now amounted, as he was informed, to not less than three millions and a half of persons, exclusive of the Wesleyans and other

Methodists. The petition eminently deserved their lordships' attention, because it was the opinion of men who had been, on all occasions, conspicuously opposed in their doctrines to the Church of Rome, entertaining opinions the very reverse of that Church, and who had not only been forward in detecting the errors of that Church, but had been at times ready to expose the false assertions of civil and ecclesiastical tyranny, and forward to resist it. The body consisted of ninety-one or ninety-three members, and sixty-three of their names were affixed to the petition. The petition had been agreed to at a public meeting of the body, and the votes in favour of it were about three to one. No petition from any body of Protestants could more deserve their lordships' attention, than one from the descendants of those Protestants, among whom were found a Watts, a Doddridge and a Lardner.—The second petition was from a corporation with which he had the honour to be connected—the corporation of Nottingham—which had long been conspicuous for their firm attachment to the principles of civil and religious liberty. It was the first corporation to address Prince William on his coming to this country.

HOUSE OF COMMONS.

Friday, February 20.

ROMAN CATHOLIC CLAIMS—NEW WRIT FOR THE UNIVERSITY OF OXFORD.] Mr. *Estcourt* moved a New Writ for the University of Oxford, in the room of the right hon. Robert Peel, who had accepted the Chiltern Hundreds.

General *Gascoyne* said, he most highly approved of the step taken by the right hon. Secretary, in thus vacating his seat. Having departed from the principles on which he was elected as a fit person to represent the University of Oxford, the right hon. gentleman very properly gave his constituents an opportunity either of confirming their former choice, or of retracting their approbation, and rejecting him. What the conduct of that body would be, it was impossible for him to say; but this he would say, that the right hon. gentleman, in thus giving his constituents an opportunity of exercising their judgment, had set a laudable example to other members of the House, whose minds had been changed by the new lights which had broken in upon them with respect to the

Catholic question, and that example, he hoped, they would follow. He was well aware that any thing which he could say on the subject would make but little impression; but he was of opinion, that when the day came, and in all human probability it was not so far distant as hon. members might suppose, when they would be called on to account for the manner in which they had discharged their trust, that day would be found to be a day of retribution for political apostacy, and those who had retrograded from their principles would be visited with the disapprobation, if not with the honest anger, of those by whom they had been sent to parliament. He hoped that differences of political opinion would not sever the ties of private and social feeling; but he could not help feeling that those who deserted their principles must be, in some degree, lessened in their political estimation; and if they possessed the feelings which they ought to have, they must be lessened in their own. He believed that this change arose from a competition between place and consistency; but for his own part, he would as soon put place in competition with consistency, as he would put glass in competition with marble. He feared, however, that those who had ulterior considerations in view, would be very far from following the example of the right hon. gentleman.

Mr. *Hobhouse* said, it was something extraordinary, on a motion for a new writ, to offer any observations; at the same time, he had no doubt that the gallant general was justified in taking that opportunity of making such remarks as suggested themselves to him; and he also begged leave, as well as the gallant general, to say a few words. He, and he believed every one else, could not but approve of the conduct of the right hon. gentleman, in giving his constituents an opportunity of reconsidering his conduct with respect to this great question. Since he had the honour of a seat in that House, he had thought it indispensable, for the welfare of the country, that the tie between the representative and his constituents should be as close as possible; and therefore he had constantly advocated the great principle of parliamentary reform. Now, he trusted that the gallant general would endeavour to carry into effect the principle which he had that evening laid down, when any gentleman brought forward the question of parliamentary reform, and that he would give

that question his support. The gallant officer had argued on the principle, that the closest tie should subsist between the representative and his constituents; and therefore those who advocated parliamentary reform ought not only to claim his vote, but the votes of others who now, for the first time, seemed to conceive that that House did not fully represent the people in parliament. They said, in fact, not only that that House did not represent the people, but that it never could; and the members who composed it were described as "degenerate senators," and were told that a penal law ought to be put in force to dissolve the House. If the gallant general meant to be consistent, if he wished really to support the principle on which the right hon. gentleman had vacated his seat, he was bound to assist in carrying into effect any sound, moderate, rational plan of reform. Rather strong words had been used by the gallant officer, in speaking of those whose opinions were altered on the Catholic question. When the gallant general spoke of political apostacy, he thought the right hon. gentleman and others who, in this great crisis of danger, had seen the necessity of altering their course, hardly deserved to be so attacked. In his opinion, the time would come when the events which would be produced by the success of this great measure would show the gallant officer, that his fears for the welfare of his country were unfounded; and he believed that the more the people of this country became acquainted with the effects of the proposed alteration in the law, the more they would be satisfied with the conduct of those who came forward, at the risk of private and personal character, at the sacrifice of private friendship, in spite of opposition and of entreaty, manfully to do their duty towards their king and country. The right hon. gentleman who had given rise to this conversation had, a few nights since, in justifying the course which he had taken, quoted what was said by an ancient poet, in describing the conduct of an able general—"Non ponebat enim rumores ante salutem;" and, as the right hon. gentleman was not present, he would add the succeeding line—"Ergo postque, magisque viri sic gloria crescet." Such, he believed, would be the case. He was quite certain that the fears entertained by some good lovers of their country would prove unfounded; and that the time would come when the country

would laud and admire the conduct of those men who had manfully placed themselves in the gap, and performed their duty towards their constituents and their country.

ARMY ESTIMATES.] On the order of the day for going into a committee on the Army Estimates,

Mr. *Maberly* said, that although the attention of the House was now engaged by the consideration of a topic of engrossing interest, he felt it to be his imperious duty to address a few observations on the financial situation and prospects of the country. His attention to this subject was particularly excited upon the present occasion; as from the announcement that had been already made by ministers, there was no prospect of the Finance Committee being renewed; at least, not of its being revived in sufficient time to have any material and beneficial effect upon the Estimates of the present year. He would recal the attention of the House to the circumstances under which the Finance Committee had been proposed originally by Mr. Canning, who held out a promise of the fullest and fairest opportunity of investigation being made into all the branches of the public expenditure, with a view of ascertaining what revenue was really available to the several departments of the expenditure of the country. In the subsequent session of parliament, the right hon. Secretary for the Home Department had come down to the House with a message from the Crown, recommending the fullest and most satisfactory inquiry into all the branches of the revenue and expenditure of the country. The hon. member proceeded to read a passage from the speech of the right hon. gentleman, to shew that it was the desire of ministers that the most ample and complete investigation should take place into the finances of the country; and certainly the appointment of the members of the committee was calculated to carry the declared objects of the government into effect. Now, with respect to Finance Committees, there had been five; but none of the preceding ones had terminated in so unsatisfactory a manner, and with less advantageous results to the country, than the committee appointed last year. The fate of the other committees was different from that of the last year. They were permitted to proceed finally to their report. But with respect to the com-

mittee appointed last year, they were stopped almost in the beginning of their proceedings. True, they had sat frequently during the last session; true, they had collected a deal of evidence upon several branches of the revenue; but they had not proceeded to that final completion of their labours which would render their inquiries beneficial to the country. If the government intended to give effect to those inquiries, why was the committee not re-appointed? If ministers saw the necessity of this investigation being prosecuted with effect, why not continue it? As to the labours of the committee, he could safely say, that the utmost anxiety had been manifested by them in the prosecution of the work intrusted to their charge. There was a constant attendance of from eighteen to twenty members, and although there was great delay, in the early stages, in procuring the necessary information from the various public establishments, towards the close of the session their proceedings were more speedy. As far as they had gone, they had brought together a variety of valuable reports, none of which he believed, had given dissatisfaction. He would particularly advert to the fourth report, on which his right hon. friend, the Master of the Mint (Mr. Herries), had bestowed great attention. The first report of the committee was certainly drawn up hastily. The subject of the sale of annuities had excited considerable anxiety throughout the country, and to meet that anxiety, an early report was presented to the House. On the Ordnance, the committee had had the great advantage of the knowledge and assiduity of the present Secretary at War, who then held a high situation at the Board of Ordnance, and who applied himself, as did the noble duke who was then at the head of that department of the public service, to retrenchment. With these favourable circumstances the committee had entered very closely into the examination of that branch of the subject referred to them; and had done a great deal. Still, however, the second part of the Ordnance question had been postponed; and the committee had made no report on that important consideration—the custody of the public money, with a view of dealing with it in such a manner as should afford the best security against fraud and abuse. In the report which they made, the committee had distinctly shown that there was matter enough, connected with

the subject which he had last mentioned, to occupy them for another year. Having laboured as the committee had laboured, and having still before them so much to investigate, it appeared most extraordinary that they should not be renewed. Nothing had happened since last year to alter the expediency of such a committee. If it was desirable that such a committee should sit in 1828, and if that committee had collected matter on which to ground subsequent inquiry, why should it be terminated, until it had brought its labours to that issue from which the country might have derived benefit? Now, not even the evidence collected by the committee could be advantageously laid before the House; for it would be merely a dry statement of facts, unaccompanied by any commentary to elucidate them. It was evident from what they had accomplished, that the committee had been guided in their proceedings by a very proper view of the subject of the national revenue and expenditure. Still, however, a minute inquiry into the subject was indispensable. In their fourth report, the committee had dealt with that great subject of delusion, the Sinking-fund, and had declared their opinion that it should be put an end to. Although the delusion had been exposed from the year 1822, yet it had been kept up, and the country had been induced to believe that it really possessed a Sinking-fund. It was now, however, generally acknowledged, that from its very commencement the Sinking-fund had been a gross delusion. Another subject of importance to which the committee had turned their attention was the unfunded debt; but on this, as on other points, they had far from completed their labours. The Army had been totally omitted in their report; because, although the committee had obtained a great deal of evidence on the subject, they had not pursued the examination of it sufficiently to enable them to arrive at any definite conclusion. The investigation of the Navy also had not been followed up; because the committee did not possess sufficient matter for that purpose. But enough had come out, from the evidence before them, to show that a very large sum might be saved in that department of the public service. It had been shown, that we had abundance of ships built, and that no additional building was at present necessary. It had also been shown, that all the stores were in the

best condition, and that we might, without the slightest fear of inefficiency, leave our Navy for some time in its present state. These strong facts alone ought to induce government and the House to form the committee again, in order that they might follow up their investigations on so material a point to the end. The committee had not been able last year to make any report with respect to the amount at which the establishments of the country ought to stand, because they were not in possession of the information which government had on the subject of our relations with foreign countries. The committee did not know at that time whether we were at peace or not. But this year it had been distinctly asserted by members of his majesty's government, that for twenty years our foreign relations had never been in so satisfactory a state. Of course, therefore, if the committee was renewed, they would found their estimates with reference to that fact. If estimates were to be formed, with reference to a permanent peace establishment, what ought to be their amount? Undoubtedly, that of the lowest within the last twenty years. That lowest amount was in 1822; yet the House would hardly credit the difference between the numerical force of our establishments in 1822 and their numerical force at present. If, however, there never was a period at which our external relations promised such profound tranquillity, surely our establishments ought to be reduced to what they were in 1822. In 1822, the numerical strength of our Army was seventy-one thousand seven hundred and seventy-nine men; in 1828, it was ninety thousand five hundred and nineteen; being an increase of eighteen thousand seven hundred and forty men. In 1822, the numerical strength of our Navy was twenty thousand one hundred and twenty men; in 1828 it was thirty thousand; being an increase of almost one-third. It was in evidence before the committee, that in the event of our not being engaged in war, three thousand or four thousand men might be reduced, by withdrawing our force from the Mediterranean alone. In the Ordnance, also, there was a considerable difference between the numerical strength of 1822 and the numerical strength of 1828. On the whole, the difference in the numerical strength of all descriptions of force, in 1822 and 1828, amounted to no less than twenty-nine thousand

men. All hope of effectually diminishing the taxation of the country would be lost, if the committee were not renewed. Individual propositions to that effect would have little weight, compared with the recommendations of a committee. He was quite at a loss to conceive why this most useful mode of inquiring into the financial state of the country should be suddenly put an end to. On those grounds it was that he had felt it his duty, before the Speaker left the Chair, to protest against the proceeding. He was sure government would never make the retrenchments which it was practicable to make, unless those retrenchments were pointed out by the report of a committee. Let the House consider how many subjects the committee had postponed. For instance, there was the Navy pay-office, in which forty or fifty clerks were at present employed, when nine or ten would do the whole business of the office; an office, indeed, which might advantageously be abolished, or amalgamated with some other. To the subjects which he had already mentioned as those which the committee had laid aside, must be added the staff, the volunteer establishment, plurality of offices; general considerations as to the mode of issuing the public money, and to the channels through which it passed before it reached the public creditor; the dock-yards, the coast and water-guard, and other subjects to which the committee would no doubt have directed their inquiries, had they been aware of their approaching dissolution. With all these circumstances before him, he could not but think the public would be exceedingly benefited by the revival of that committee, and that no substantial reduction of taxation could be otherwise expected.

Sir Henry Parnell expressed his surprise at the silence of the right hon. gentleman opposite; and, although he admitted that his majesty's ministers could not be better employed at the present moment than on the important subject which engaged their attention, he was nevertheless of opinion, that the Finance Committee ought to be revived, with the view of endeavouring to put the finances of the country into the best state of which they were susceptible. Indeed, he had always understood that it was to be revived; and was perfectly satisfied that many things had not been done by the committee which would otherwise have been done, had it not been under-

stood generally, that the committee would be revived. In particular, he was certain, that if they had had any idea that their labours were to be so soon terminated, they would, at least, have reported on those two great branches of the public expenditure, the Army and Navy. To show the diligence which the committee had used to collect materials for that purpose, the hon. baronet read lists of the individuals examined by them, comprehending many of the most distinguished officers in both services. Such progress had been made by the committee in their examinations, that a little additional time would have enabled them to make a full report on the Army and Navy. There were various other matters on which they had also made considerable progress. Whether they would have eventually effected any considerable reduction was more than he could say; but he was sure that they would have endeavoured to do so, and that they felt that, in the civil departments of the services especially, much reduction might be advantageously effected. It had been said, that the committee had not done any good, and that there was no prospect of their doing any. In support of this opinion, the fact that when the committee proposed any reduction it was opposed, had been alleged. But he maintained, that the very inquiries of such a committee, composed of the most competent persons in the House, must have a beneficial effect on the various public departments. It was well known that there was a constant tendency in the various public departments, to increase their expenditure. The inquiries of a Committee of Finance would aid in checking that tendency. The late committee had strengthened the hands of the Treasury, and had given to that department a more effectual control over the others. By the interference of the committee, the Treasury had, indeed, recovered its legitimate authority. He very well knew that, if the noble duke now at the head of the government thought proper to introduce economy into the Army and Navy, it was perfectly competent for him to do so, without the intervention of any Committee of Finance. But there were other branches of the public service into which, with all the noble duke's authority, and with all the spirit with which he carried through whatever he undertook, he could not so safely proceed; without the knowledge derived from the previous investigations of a com-

mittee. There was a subject, for instance, to which his hon. friend had alluded—namely our colonial system—which was so complicated in its nature, arising not only from the number of our colonies, but from the variety of their interests, and their hostility to any thing like reform, that nothing short of a full and extensive examination, by a committee of that House, of all the circumstances attending the system, would be sufficient to form the basis of a measure of amelioration. If the House would take the trouble of tracing all the expenses to which the country was subjected by the colonial system as it now stood—expenses resulting from the army, the navy, the ordnance, the civil officers, &c.—they would feel that such was the case; although it was certain that there was not a single colony in which a large sum might not be saved. By a minute inquiry, the country might be relieved from a large part of the charge now incurred in the colonies. In his opinion, therefore, the committee ought to be revived. The committee had accumulated voluminous returns, with respect to the population and establishments of each colony; such returns as had never before been collected. The ground-work had been laid for a system, from which the colonial governments might derive great advantages; a system which would materially reduce our expenditure as connected with the colonies, and place the colonies themselves in a more flourishing condition. This was a subject well worthy of the attention of parliament. —There was another subject, in the investigation of which the committee had made some progress; and it was a subject which required serious attention. He meant smuggling. Among other facts it appeared, that no less than 700,000*l.* a year was paid out of the Treasury for the suppression of smuggling. When this enormous expense, and all the evils that resulted from smuggling, were considered; the expediency of endeavouring to suppress it, by lowering some of the duties, seemed to him to be evident; and, in his opinion, that could be accomplished without any great loss to the revenue. Why not reduce the duties on tobacco and brandy? From the former three millions, from the latter a million and a half were derived. If a million were taken off, and raised by other means, a most injurious practice would be put down, and an enormous expenditure got rid of. With respect to the audit of

accounts, the committee were not in any great difficulty, as they had the benefit of the best and highest precedents. The better mode would be, to follow the course of the government of France, and introduce a different system of public accounts. He would not undertake to say that the French system was the best that could be devised; indeed, he had heard that the Dutch system was better; but he would assert that, in comparison with our system that of France was most perfect.—The committee had collected a statement of Expenditure and Revenue up to the present year, and he wished to see it followed up by a report, shewing the revenue, and from what sources it was collected. He wished a committee of the House would inquire into the nature of the taxes composing the revenue which, in the gross amounted to fifty-eight millions. Having expected that this would be made the subject of examination by a committee, he had bestowed some time in making himself acquainted with the various complicated details connected with the question; and he had no hesitation in saying, that the industry of the country had been materially injured by the system of taxation now in operation. It would be a question worthy of that House to examine and decide by what means the revenue actually wanted could be obtained from the people with the least possible injury to the progress of industry, and the accumulation of capital, and with the least possible vexation to those who had to furnish it. It would, on examination, be found, that on some of the materials of manufactures, either in their raw state, or in the early stages of preparation, no less than six millions were annually lost to the consumer. In some instances the tax on the raw article was greater than the cost of manufacture. He would not enter into details, but he must repeat, that such a system was most injurious to the progress of national wealth. It was only by the progress of accumulating capital and wealth that this country had been able to surmount her difficulties. If obstructions were opposed to those sources of improvement, we must remain stationary; whilst, if the obstructions to the accumulation of wealth were removed, we should be enabled to struggle against any difficulties. He did not propose that any sudden reduction should be made in the branch of taxation to which he had alluded. He was only

desirous, that if, upon inquiry, it should appear to be attended with the prejudicial consequences which he had attributed to it, it should be made the subject of gradual reduction. Those members of the House who had belonged to the Committee of Finance must be aware, that, independently of the great items of expense, the Army and the Navy, considerable sums might be saved under other heads. The revision of the colonial system would, he thought, be attended with a large reduction of taxation in this country. There could be no kind of difficulty in discovering new taxes which would produce a sufficient revenue without pressing on industry. These, he thought, were all sound reasons for the re-appointment of the Committee of Finance. The subjects could be much better investigated by such a committee than by ministers, whose attention was taken up in their several departments. He, however, begged it to be clearly understood, that he had no objection to the postponement of the committee, until the government had got rid of the present important measure in which it was engaged; but he hoped that ministers would not come to a final decision as to the refusal of a committee altogether, until they had fully considered the circumstances which he and other gentlemen were able to lay before them.

The *Chancellor of the Exchequer* said, that though he concurred in much that had fallen from the hon. baronet, he did not consider it necessary, on the present occasion, to enter into any discussion, with respect to the various topics which he had referred to. To enter into any detail with respect to those topics at a time when the House were expecting other important business to be brought under their consideration, would be neither fair nor convenient. It appeared from the speech of the hon. member for Abingdon, that what he had stated on a former evening had been misunderstood. He was therefore anxious to repeat what he had said, when he was asked whether it was the intention of government to move for the revival of the Finance Committee. The hon. member for Abingdon supposed that he had given to that proposition a distinct denial. He had done no such thing. He had stated that, there was no indisposition on the part of the government to enter upon those inquiries which had last session been confided to the

Finance Committee, but that at the present moment the attention of government was so much occupied, that they could not do otherwise than postpone the consideration of the question to a later period of the session. He had also stated, that there existed amongst those who had been members of the Finance Committee, a difference of opinion as to the course which it would be proper to pursue. Some were of opinion that the committee should be re-appointed; others thought that the inquiries could be better conducted on the responsibility of government, and without the intervention of a committee; and one member suggested, that all the information which had been collected by the committee should be laid before the House, and become matter of general discussion. He did not now mean to deliver an opinion with respect to any of those courses. He thought it better to wait until the existing pressure of business was removed from government, and then to consider what course would be most conducive to the public interest, and most consonant with the wishes of the House.

Mr. *Hume* said, he could not but recollect the course adopted last session, in appointing a committee to consider in what way might be reduced the heavy pressure of the different establishments of the country upon the various branches of industry and commerce. The committee had been appointed, not to inquire into the revenue, but into the reduction of taxation. The whole of last session was lost without any effort to reduce the taxes. The cry was, that the subject was before the committee, and nothing could be done until the committee had made its report. The committee were overwhelmed with papers, and had been unable to come to any decision on more than one or two subjects. [As soon as all the materials were collected, ministers broke up the committee, fifteen days before the House was prorogued. He had never risen with less disposition to oppose government than on the present occasion. Seeing the important benefit ministers were about to confer on the country by the measure with which they were occupied, he felt bound to afford them all the assistance in his power. He rose, therefore, not with any intention of throwing difficulties in their way, but to point out how they might adopt a course different from what they were now pur-

suing. The House, in the first place, ought to know how far the intentions of government corresponded with the declaration of his Majesty's Speech. That speech had recommended economy to be enforced in every department of the state. If the recommendation was to be followed up, ministers were called upon to state their intentions, before the House voted away a single pound, much less before they voted away six millions, which they were now called upon to vote, besides the 2,000,000*l.* which would be consequent upon the vote of that evening. Ministers ought to show in what departments they had practised economy, and the House could then judge how far they had adhered to the recommendation of his Majesty's Speech. So far as he could judge from the estimates on the table, the reductions which had been effected were a mere trifle, and not such as to authorise a minister in taking credit for economy. Of what use was an increasing revenue to this country. If, whilst the revenue went on increasing, ministers never reduced a single farthing. Reductions were only made when the revenue fell short. The moment it increased not a word of economy was heard. There was now an increase of revenue of 2,000,000*l.*; but what did this signify, if the House had to vote 89,000 men for the Army, 8,000 for the Ordnance, and 30,000 for the Navy? Would any man say that these were requisite for a peace establishment? The measures now in progress would allow ministers to withdraw 15,000 or 20,000 men from Ireland. Previous to 1793, there were never more than 8,000 or 9,000 men kept in Ireland. If the existing distress and discontent were removed, he knew of no circumstances that would require us to maintain more than 12,000 men in that country, instead of 30,000. The estimates for 1821 and the three following years, were less than those for the present year. What confidence, then, could be placed in the economical professions of ministers? He was satisfied that the whole of the taxes upon many of the articles of the first necessity might be removed. From three to four millions of taxes might be reduced this year, and the country would be the better for it in the next. The House ought to compel ministers to reduce the establishments by 20,000 men. He was convinced that capital was increasing, and would increase notwithstanding taxation was so un-

equally applied. Although he had been opposed to the constitution of the Committee of Finance, now that that committee had collected such a mass of useful matter, and was prepared to lay it before the House, it was too much for ministers to say that the country should lose the benefit of its labours. The head of the army was unable to carry the reductions in his department so far, as if he had been strengthened by the report of the committee.

Mr. *Maberly* asked, whether he was to understand the right hon. gentleman to say that the revival of the Finance Committee was postponed, or merely the consideration of the propriety of the revival?

The *Chancellor of the Exchequer* said, he had stated, that at present the appointment of the Finance Committee would be inconvenient, both to the House and the government. He had also stated, that various suggestions had been made, as to the manner in which economical arrangements might be effected, but he thought it better to postpone to a later period of the session the adoption of one of those suggestions.

Mr. *Baring* said, he was anxious that the House should resolve itself into a Committee of Supply, in order to afford the right hon. gentleman (sir H. Hardinge) an opportunity of explaining the intentions of government. It must be obvious, that the estimates could not sufficiently explain the intentions of government, because some prospective measures of economy might have been determined on, which the House could only be made acquainted with from the speech of the right hon. gentleman. With respect to the Finance Committee, it had been originally appointed under the pressure of severe distress. Fortunately, the circumstances of the country were now altered, and we had a real surplus revenue amounting to about 3,500,000*l*. It was not to be understood, that a Finance Committee was to be reappointed as a matter of course; though it was well known that many Finance Committees sat during several sessions. If government were seriously employed on the work of reduction, no doubt they had a large mass of materials to go upon: and if they did betake themselves in earnest to the work, he could not object to the committee not being reappointed; as, in that case, many members would be relieved

from a very tedious and irksome duty. At the present time, knowing how much government was occupied with a most momentous question, and how little attention it could give to the business of a committee—for if the committee were to be reappointed, government must of course go into it—he was disposed to make every allowance for the delay; but, when he said this, he should add, that he still expected that some reduction should be in preparation. If he saw a disposition to that effect manifested in the arrangements for the different services, he would be satisfied; though he nevertheless concurred with those who thought it a serious thing that a committee, after having collected such a mass of materials, should not be reappointed. He would not now enter into the detail into which the hon. member for Aberdeen had gone—because he did not believe the present moment was the proper one for their discussion. He could not concur with him in his suggestion as to the application of what he expected of a surplus revenue. We were subject to those fluctuations, by which in one year there was a considerable improvement, and in another a great deficiency; and under such circumstances it would not be politic to make such an application of a surplus for one year, particularly with such a revenue as we had, and above all with such a mass of debt. When the hon. member talked of reducing so large a portion of our force as twenty thousand men, he could not concur with him. It was very easy to make such sweeping propositions; but those by whom they were made were bound to point out the particular colony or place in which they might be effected, without injury to the public service. That in time of internal tranquillity and external peace some reduction of our force might be made, he was not prepared to deny; but except in Ireland, where the effect of the intended measures would no doubt be productive of much good, he was not prepared to propose any reduction of our force, except perhaps a regiment or two of cavalry. Any reduction beyond that would not, he considered, be at the present period advisable. As to what had been said of the number of clerks employed in some of the public departments, and the assertion that had been made, that the work of thirty-five clerks could be done by eight, he would only say, that if such

were the fact, the mode of doing business in those offices deserved consideration. He had no doubt that the great number of clerks in some of the departments tended to encumber the business, make it less intelligible, and to facilitate frauds. If the heads of departments were to look seriously into this point—not with the view of such extravagant reforms, as he had heard recommended, but with the intention of seeing what could be done to simplify the mode of keeping the accounts—it would have the effect of making them more acquainted with the details of business in those departments, and less dependent for information on their subordinate clerks, than they were at present. He had little doubt that such defalcations as had been seen in the office of Paymaster of the Navy, and also at Greenwich Hospital, would be found to have arisen from the present practice of encumbering offices with useless checks and forms, which removed the more direct and immediate control of the head of the office, or at least rendered it less effectual than it would otherwise be found.

Lord Althorp observed, that if government, with the materials for working which they possessed in the information obtained by the Finance Committee, intended to enter upon the business of reduction themselves, they could do it more effectually than any Finance Committee. When he went into the committee last year, he did so with a greater certainty of obtaining information, than of having it made available, for the purposes of effectual reduction. All the information they got had come from the government offices. They had got all the information they asked, and more than was necessary for the object they had in view. If government should not reappoint the committee, they would be expected by the House and the country to make the greatest possible reductions; and they had the materials in their hands. If the committee should be reappointed, they ought not to examine the estimates of last years. These should be left to the responsibility of the ministers of the Crown. The House ought to be informed whether they might expect this or not; and, if it was not intended to reappoint the committee, they should be told so at once. He would admit the vast importance of the question with which they were then engaged, and that, no doubt, was a fair reason for the

delay in the appointment of the committee; but it would not be an excuse for not having an immediate answer, yes or no, to the question of reappointment.

The House having resolved itself into the committee,

Sir H. Hardinge rose to move the Army Estimates. He began by saying that in presenting the estimates to the committee, he would confine himself principally to noticing the difference in the items between the past and the present year, and to giving such explanations of each item of charge as would make them intelligible to hon. members. He would say a word as to the whole force to be kept for the year. That amounted to eighty-nine thousand, seven hundred and twenty-three men, exclusive of the forces on service in India. If that force had been calculated, according to the view taken of it by the hon. member for Aberdeen, with reference to the state of Great Britain, or in anticipation of the settlement of the question with respect to Ireland, hon. members would no doubt expect that considerable diminution might now be made, particularly as the tranquillity at home was confirmed by assurances from the throne, that no interruption was likely to take place in the state of our foreign relations. But hon. members would recollect, that the force kept up, for some years past, had not so much a reference to our state at home, as to the relief of garrisons abroad; and that it was in the amount of those garrisons that a reduction could be expected, if any at all could be made. On this part he would state, that there was a diminution this year of our force by one thousand two hundred men, by the reduction of staff-corps, by four companies from the African Corps, and this was exclusive of the reduction of five thousand men, by taking fifty from each of the regiments. The reduction of expense of this last would be 100,000*l.* this year. It was 80,000*l.* in the last, making a difference of 20,000*l.* The advantage of this gradual mode of diminishing the amount of force, by small reductions from each regiment, was this,—that it saved, in a great degree, the expense which would be attendant in the disbanding of a large number at once; for that must necessarily include a number of young lives, which would thus come upon the pension list. As to the Staff-corps, it was found that we could do without those twelve companies. They were reduced in

this way:—seven companies were allowed to volunteer into the corps of Sappers and Miners, and five companies were taken into the Ordnance. This gradual reduction would also create a great saving in the way of pension. The next item of reduction was that of four companies of four hundred men from the African Corps. This created a saving of 9,000*l.* There was also a diminution of about 900*l.* in the staff of the waggon-train by the reduction of a major, and a paymaster, and some minor reductions. In the corps in the East Indies there was a reduction of five thousand eight hundred, making a diminution of expense of 128,000*l.*; but then it should be considered, that this sum would not be wholly saved to the public, because a provision must be made for many of those who were returning home. The whole diminution of force of 1829, as compared with 1827, would be twelve thousand men, and as compared with last year, more than eight thousand. There would be a diminution of expense amounting to 73,000*l.* On the miscellaneous charges and contingencies,—such as oil and emery money, marching money, target allowances, &c., there would be a saving on the reductions of 6,888*l.* The next charge in the estimates was the Staff in Great Britain and abroad. This amounted to 117,136*l.*, on which a diminution of expense had been made of 19,763*l.* Much of this reduction originated with the Commander-in-chief himself, by a reduction of a large portion of the medical staff; which measure had been much assisted by the co-operation of the Director-general of the Medical Department. In the charge for Public Departments, which now amounted to 105,928*l.*, there was a reduction of 4,029*l.* this year. And here it was but doing justice to the noble lord (Palmerston) who had preceded him in office, to state, that the greater part of this sum was the result of arrangements made by him before he quitted office; and he might add, with reference to what had fallen from the hon. member for Callington (Mr. Baring) on the subject of the reduction of clerks, that there had been, in the last year of the war, one hundred and seventy clerks in the office of the Secretary of War, and of that number ninety-one had been reduced.—Yet with that reduced number there existed the greatest despatch in the arrangement of the accounts; so that there was no arrear. This could not have been ef-

fected without the most active exertions on the part of his noble friend; and, in any thing which he could now do in the way of reduction or regulation, he should be only gleaning the field which his noble friend had reaped.—In the charge for medicines, amounting to 16,560*l.*, there would be a diminution of 1,200*l.* In the expense of the volunteer corps there would be a diminution of 5,217*l.* In the charge for the military college there would be a diminution of nearly 3,000*l.*; and next year it would amount to about 4,000*l.* It was this year 10,029*l.*; and there was a prospect of its being brought to 8,000*l.* in the course of a short time. The diminution had been made by the reduction of one major, one captain, one assistant-surgeon, five professors, and some minor reductions; but the whole of the diminution would not appear in the present estimates, for some of the salaries were to be paid up to March. There was also the retirement of a Lieutenant-governor, who had held the appointment twenty-seven years, and was always active in the discharge of his duties. He was succeeded by another officer, who only received his military pay, with the addition of a guinea per day, for the extra duty of his new station. In the charge of Army Pay of General Officers, which this year amounted to 136,000*l.*, there had been a reduction of 10,000*l.* In that of full pay for retired officers, now amounting to 109,000*l.*, there was a reduction of 3,000*l.* Thus, on nearly every item, there was some reduction. A considerable one was effected by reductions of the medical staff, and a great part by the extinction of junior members of the half-pay. The House would recollect, that in 1825 and 1826, eight hundred officers had been allowed to sell on half-pay, and it was objected at the time, that that measure would add to the encumbrance of the pension fund, by throwing so many junior lives upon it; but if it would add somewhat to the weight in that respect, it should be recollected that there were, in the case of the younger lives, fewer wives or widows likely to become a burden to the country. It should also be considered, that those who sold out were obliged to sell at the lowest price, while those who purchased were compelled to pay the highest. By this means a sum of 80,000*l.* had been saved to government. Instead of vesting that sum in the general fund, he had recommended that it should be ap-

plied to the extinction of seventy lieutenantancies and seventy ensigncies; thus purchasing, as it were, for that sum, annuities to the amount of 9,000*l.* a year. The advantage of this mode of applying the money above that of investing the money must be obvious. Besides the benefit thus derived from this mode of applying the money, of cancelling one hundred and forty commissions, they got rid of the obloquy of having so many persons in the army who did not do duty.—The next item of charge was the pensions, and this was one of the most important of all. The total amount of pensions this year was 1,394,903*l.*, from which sum large deductions were to be made,—for casualties in the present year, poundage on out-pensioners, and balance in hands, thus leaving to be provided for this year 1,278,403*l.* In the page of the estimates in which this charge was made, he had inserted a memorandum explaining that four thousand one hundred and three men had been carried from the pension-list to the militia account, to which they more properly belonged; but the diminution thus occasioned would be a real, not a mysterious one. It would be seen, from last year's list, that the number of pensioners had increased, and that the casualties were not so numerous. He thought, on looking at the whole system, that it required revision. He did not mean that, in any revision, any thing should be done to break faith with the soldier, or to destroy the engagements made in the year 1806: but, on the other hand, though he would not break faith with them, he thought we ought to do that which the commissioners had no discretion to do; namely, to apportion the reward according to the merit of the individual. In looking over the arrangements made on the subject of pensions in 1806, he thought they were founded wholly on erroneous principles. The Finance Committee of 1817, in adverting to this subject, stated their opinion, that the charge of pensions had then reached their greatest height. At that time there were sixty-four thousand pensioners on the list: at present there were eighty-two thousand; making a difference in the charge of 384,000*l.* a year. The plan which he should propose would give to the soldier a reward and a retiring pension, in proportion to his period of service. At the present time, the price of a soldier's discharge was 30*l.* for cavalry, and 20*l.* for infantry. What

he intended to propose was this,—that in case of a service of seven years, the price paid for a discharge should be the same as at present, and that for a service extending a few years beyond that period, the price should be within 4*l.* or 5*l.* the same. At the end of fifteen years the soldier should be entitled to a free discharge; at the end of sixteen years he should be entitled to a free discharge not bearing a pension, and to a gratuity amounting to half a year's pay; at the end of seventeen years he should be entitled to a free discharge and to a gratuity amounting to a year's pay; at the end of eighteen years he should be entitled to a free discharge, and a gratuity of two years' pay. By this plan he would be enabled, at the end of a given time, to obtain his discharge, with a gratuity, whenever he thought proper to demand it; and if he were stationed in a country where land was to be settled, he should be entitled moreover to a grant of land, and to all the advantages reserved for military settlers. Now it was clear that, if four thousand men could be induced to get their discharge by this plan, it would be greatly for the advantage of the service; for we should substitute for men who had been twelve or fifteen years in the army, and who were thirty-five years of age and upwards, four thousand recruits in the prime of life, who had no claims whatever on the pension list. He contended that, by anticipating the discharge of the soldier in this manner, we should gain two advantages—we should give to the men what they would consider an indulgence, and we should relieve the pension-list of pensions which, in the course of ten years, would amount to 300,000*l.* annually. He proposed that, in all these cases, the option should be given to the soldier, liable, however, to the regulation of the commander of the corps in which he served: and he further proposed, for the protection of the soldier from any momentary disgust or caprice, which might induce him to wish for his discharge, that no soldier should receive his discharge without giving a week's previous notice. By this plan he anticipated that a large diminution would soon be effected in the amount of the pension list, that the recruiting for the army would be greatly facilitated, and that desertions would be checked: and he further anticipated, that, independently of the financial relief which it would afford, it was calculated to produce a great improve-

ment in the character of the army.—He did not think it necessary to enter further into the details of this arrangement at present: only he must say, that, connected with this system of free discharges, a system of conditional pensions must be adopted, and that for slight injuries small gratuities must be paid. By the arrangement which was made in 1806, it was provided, that a soldier, for the loss of a finger or a toe, should be pensioned for life; and when the pension was once granted, the commissioners had no further control over it. Now it appeared to him, that by giving a soldier who had received such an injury his discharge at once, or the option of serving in a veteran battalion, great relief would be obtained to the service.—The next item in the estimates was the charge for the Military Asylum, which this year amounted to 24,155*l.* 13*s.* 8*d.*—There was a diminution of 3,700*l.* in this item, as compared with the estimate of last year; and the proposition which he should have to submit to their consideration was to limit the number of children to one thousand instead of one thousand three hundred, the number supported there at present. The charge for widows' pensions this year was 143,411*l.*, and in this item there was an increase of 328*l.* over the charge of last year. The charge of allowances on the compassionate list, and of pensions to wounded officers, amounted to 189,087*l.* In this item there had been a diminution of 6,400*l.* for the allowances to the children of deceased officers. He might here mention, that the indulgence to them from his majesty's royal bounty was limited to 40,000*l.* and that he anticipated in another year a further diminution of 4,000*l.* on this head of expenditure. In the superannuation allowances there was this year an increase of 863*l.*, but the committee must be aware, that it was quite impossible for the government to make any reductions in the public offices without increasing, for a time at least, the amount of superannuated allowances.—He had now gone through the whole of the estimates of the army services for the year, and had shown that the decrease was general on every estimate except two.—The right hon. gentleman then made a recapitulation of his statements, and concluded by moving, "That a number of Land Forces, not exceeding eighty-nine thousand seven hundred and twenty-three men (exclusive of the men belonging to the

regiments employed in the territorial possessions of the East India Company), commissioned and non-commissioned officers included, be maintained for the service of the United Kingdom of Great Britain and Ireland, from the 25th Dec. 1828 to 25th Dec. 1829."

Colonel *Davies* said, that, after the long discussion which had taken place before the Speaker left the chair, he did not intend to trespass at any length on the attention of the House. After what had passed, he thought it would be impossible for the government to withstand the re-appointment of the Finance Committee. A clearer and more able statement than that now made, he had never heard from the Secretary at War. Many of the alterations suggested by the right hon. gentleman were satisfactory; but the estimates were any thing but satisfactory. From the peculiar situation in which the ministry were placed, he could not take the course he would otherwise have pursued. The year before last, the estimates were passed over, because it was intended to appoint a Finance Committee; last year they were passed over because the Finance Committee was appointed; and now they were to be passed over, because a great measure was in progress for the tranquillization of Ireland. There was one statement of the right hon. Secretary which gave him great alarm. It was stated, that there could be no great reduction of the land forces, for that the numerical force must be kept up, in order to supply the colonial garrisons. Now, this was a melancholy state of affairs; for it was preposterous to keep up so large a force for such a purpose. He had repeatedly stated a mode that would get rid of that necessity; and that was, by putting corps raised in the colonies into the garrisons there. He did not mean colonial corps exclusively, but such a number of them as would materially reduce the regular troops now required for this service. Reliefs of this kind, in justice to the soldiery, and for the advantage of the country, ought to be done away with. He hoped that thirty-seven thousand men, now stated as the troops required for Ireland, was only a temporary calculation; for it would be disgraceful that our Indian possessions, in which the inhabitants differed from us in every respect, nineteen thousand seven hundred men should be sufficient; while in Ireland, which was an integral part of the kingdom, so much

greater a number was required.—He trusted the Finance Committee would be re-appointed, and that we should follow the example of the United States, in observing an economical system with regard to every branch of the public service.

Sir *H. Parnell* stated, that the large force which it was necessary to keep up in the colonies, was a sufficient reason why the state of those colonies should be investigated. The noble lord, who was lately at the head of the war department, on his examination before the Finance Committee, had stated, that by the system of reliefs, and the companies necessary to be kept up in dépôts, a force of nearly eighty thousand men were necessarily kept up for our colonial possessions. This was an enormous expense to be incurred for the sake of those colonies. There were three ways of diminishing the expenditure incurred by the present system of garrisoning them. The first was, by diminishing the number of our colonial possessions; the second, by diminishing the force in particular garrisons; and the third, by substituting some other force for that which now garrisoned them. Ceylon, and another of our colonies, it was said, might be got rid of, or the management transferred, so as to produce a saving of six thousand five hundred men in our land force. Then, in some of the colonies, the garrisons might be diminished. He contended, for instance, that six thousand troops were more than enough for North America. It had been admitted, too, that our troops in the colonies merely acted as a police to preserve tranquillity; and that being the case, he had no doubt that some other force might be substituted. There was no reason why there should not be an armed police in the colonies like that in Ireland. Before he sat down, he begged to ask the Secretary of State for the Colonies, whether it was intended to reduce the number of troops now employed in them?

Mr. *Hume* observed that, notwithstanding the sneer with which the hon. member for Callington had said, that he would not deal in proposals for reducing twenty thousand or twenty-five thousand men, he was prepared to shew to the committee that in the years 1822, 1823, 1824, and 1825, the whole military force of the country did not exceed sixty-nine thousand men. In those years, we had not more than twenty thousand men employed in the navy, and five thousand in the artillery; and now we

had eighty-nine thousand infantry, and more than thirty thousand men employed in the navy. He had never heard any complaint made against the manner in which the public service had been performed in those years; and therefore he thought that, as the country was in a state of such profound peace, we might safely venture to reduce the number of men for the year from eighty-nine thousand to sixty-nine thousand. His gallant friend had objected to the number of troops employed in our colonies, and very justly. He would say that, if the public wished to be relieved from taxation, it must force the government to act differently towards the colonies. If we were to have foreign possessions, and were to keep them as military garrisons, instead of allowing them to incorporate with the rest of the empire, we must incur great expense. If the colonists were placed in the situation, in which they ought to be placed as British subjects, we might get rid of three millions of odious taxes, which pressed hard upon the middling classes of society. Why should we have six thousand men in the Canadas?

Sir *H. Hardinge* intimated, that we had not three thousand men there.

Mr. *Hume* said, that the amount of our force in North America was six thousand men, and the Canadas were in North America. The rest of our possessions in that quarter were islands, and, except from seals and whales, he knew not what invaders they had to fear. There must be some other reasons than those which had yet been mentioned, for keeping up so large a force in our colonies. He thought the real reason was to be found in their internal state, in which the governors were generally found at variance with the people. Our colonies were treated as conquered countries, instead of as friendly states. That was the only reason why thirty-three thousand men were not sufficient for the colonies. That number, according to the statement of the late Secretary at War, was kept up to nearly seventy-five thousand men, by the necessity for reliefs. The House would see that this question was one of immense importance: since, if eight millions was the whole amount required for the army, by the reduction of above a third of the number of men, we might be able to effect a reduction of nearly three millions, and might thus get rid of the taxes on candles and soap, which pressed so heavily on the

middling classes. He therefore declared, that next to Ireland, he thought the state of the colonies was the most important subject that could be brought before the House. If the government was of a more paternal nature, the force now employed would not be necessary. The present system of governing the colonies, was destructive of our finances, and attended with heavy burthens on the British people. Besides if the force was withdrawn from the colonies, there would be fewer complaints against the governors; for, when governors had an overwhelming force at their disposal, they were seldom inclined to listen to reason. He would avail himself of that opportunity of doing an act of justice towards the gallant officer who now filled the situation of Secretary for the Colonies. When that gallant officer was first appointed he had deprecated his appointment, because he was anxious to see the colonies governed by the principles of civil polity; and not ruled by the iron rod of military government. He was happy to say, that since the gallant officer had been Colonial Secretary, the system of governing the colonies had been greatly improved. He anticipated what had not taken place [a laugh]. He had reason to believe, that the orders which the gallant officer had transmitted both to Canada and to the Cape of Good Hope, were much wiser and much better than those of his right hon. predecessor, from whom he had expected much better things. He was convinced that, if the colonies were properly administered, fifteen thousand men would be found sufficient for their defence. He could not conceive why the gallant officer should boast of the reduction of troops to be made in India. Those troops cost the country nothing; for the expense of them was defrayed by the East India Company. Though we had reduced our force by five thousand men, the charges of recruiting were for this year, the same as for the last. This was a little unaccountable at first sight; but the gallant officer would, perhaps, explain it.

Mr. *Robinson* said, that the hon. member for Aberdeen was not satisfied, in his opening speech, with having attacked the colonies, but he had followed up his attack in his second speech. He persevered, after all he must have heard, in saying that the colonies were a great burthen to the country; when the fact was, that so far from being a burthen, they added mate-

rially to the wealth and strength of the country. This, indeed, was so evident a proposition, that it only required the hon. member to open a leaf in his book of common arithmetic, and calculate the account fairly in the whole of its application, to satisfy himself of that fact. He said, that the country had to pay 3,000,000*l.* of direct taxes annually for the support of the colonies; but in making this statement, he kept out of view the great, though indirect assistance received from the colonies, in their consumption of British manufactures, and support of the redundant population which so frequently emigrated from hence. To take up the subject, therefore, upon narrow grounds, was to create an unfair view of it. Indeed, he was satisfied that, whenever the inquiry was fully gone into, his assertion would be borne out by the fact, that the colonies were not only not a burthen to the country, but interwoven with its best interests.

Sir *George Murray* said, he should be wanting in respect to the House, as well as to the individuals who had already discussed this subject, were he not to make a few remarks on what had fallen from them, in the course of this debate. He concurred entirely in opinion with the hon. member who had spoken last, that the colonial system was inseparably connected with some of the best interests of the country, with its trade and manufactures, and that any plan of economy at all founded on their relinquishment, would materially diminish the means of the state. Besides this abandonment of the colonies, other projects had been urged for the reduction of the military expenditure. It had been said, in the Finance Committee, that the force in the West Indies might be reduced to a police force for mere defence. Now to this he would reply, that the rendering them a police force, in addition to their other military duties, would be any thing rather than economy, from the wear and tear to which the men would be necessarily exposed. He certainly admitted, that the nature of a slave population required the maintenance of a military force, beyond the necessity for a defence from an external enemy. With respect to the latter, however, they must always bear in mind, that new and great states were growing up in their neighbourhood, which required to be watched with reference to contingent operations; independently of the presence of a slave population, which

he should indeed rejoice to see improved and ameliorated, although he knew that such an improvement must be gradual, and that any hasty attempt, in the way which some hon. gentlemen imagined, would prove injurious rather than beneficial. Hints had been given of the employment of a police like that in Ireland; but he thought such a system not likely to be operative in the colonies. There was another suggestion; namely, that of garrisoning these possessions with colonial troops, provided on the spot; against such a course he must protest, as detrimental to the interests they were bound to preserve. It was said, that there ought not to be any increase of force, with reference to the safety of the Canadian frontier. Now, he willingly supposed that the United States had not any hostile intentions towards Canada, but he still thought, considering the great and rising power which America presented, it would be highly unwise to diminish the force upheld in the neighbouring frontier. At the same time, he quite agreed in opinion with those who thought, that the best security of the colonies was in the cultivation of their own internal resources, and that nothing was more calculated to augment the means of security of Canada than an extension of her effective population. Some allusion had been made to the discussions which had taken place between the local authorities in Canada and their principals. He readily admitted, that at such discussions, differences had occurred; but he was equally sure they had arisen, not so much from the faults of individuals, as from the working of an injudicious system, which had been long in operation. The quarrel with the late governor had arisen from bickerings of old date, and was at length thrust by circumstances into public notice. He hoped, however, that time, aided by a better system, would work a remedy for these evils, and he believed also, that it would have been impolitic to have conceded all that had been called for by the inhabitants.

Lord *Palmerston* rose principally in consequence of the allusion which had been made to his evidence before the Finance Committee. In that evidence, he had gone upon the principle, that the troops in the Colonies were to be relieved every ten years; so that every year, men to the amount of one-tenth of the whole force in the Colonies must be sent out to

relieve others, who might be said to have served their time. Taking into account the dépôts and the veteran battalions, he thought he had satisfied the Finance Committee, that the force in the Colonies, and for their relief, was not too large. It was necessary to remember that England was a great country, that she had important foreign relations, and that she was engaged in treaties which she was bound to execute. Sudden emergencies, like that which had occurred two years ago, when five thousand men were sent to Portugal, might arise, when a standing force might be required to preserve the good faith, dignity, and character of the empire.

Mr. *Maberly* remarked, that the standing army at present, according to the statement of the gallant officer, was more numerous by fourteen thousand men than in the year 1822; yet he had talked as if the troops employed were twelve thousand less than in that year. The reductions that had taken place in India afforded no relief to the finances of this country, inasmuch as the troops there were paid by the East India Company. He gave his hearty concurrence in the plan of the gallant officer, for the reduction of pensions. He thought the mode recommended would be most effectual, and he gave him all credit for the adoption of it, more especially as it originated with the gallant officer himself.

Mr. *Baring* expressed himself dissatisfied at the imperfect information which had been obtained, upon parts of the military expenditure in the Finance Committee. He agreed as to the necessity of maintaining an efficient colonial force, and that to weaken it might hereafter invite aggression. The cavalry regiments had, however, no connexion with the foreign relief. They had been attempted to be justified upon their present scale, because of some assistance they had afforded to the coast guard for the prevention of smuggling. When, however, evidence on that point was called for in the Finance Committee, it was found entirely to have failed. Why, then, at the present period not reduce these cavalry corps?

Mr. *Monck* said, he could not help looking at the extravagant scale on which the military expenditure of this country was conducted. If Russia, with her six hundred thousand troops, paid as England did, her standing army would entail upon

her a debt of 40,000,000*l.* annually, and not leave a rouble in the imperial treasury. Neither Russia nor France had, however, great as their armies were, entailed upon the people such an expenditure as England had done. This was most extraordinary, seeing that the people of Great Britain could boast of a free constitution, and a representative government. He was afraid, however, upon close inquiry, that Englishmen would not be found to have the share in their legislature which was theoretically supposed, and that their representatives were too prone to look to their own personal interests, and to consider little the effect of their measures, provided they could obtain good things for themselves. He looked for no material reduction in the public expenditure, until the people had a more direct share than was assigned to them at present in the choice of their representatives.

The resolution was agreed to; as were also several other resolutions, after a short conversation.

HOUSE OF LORDS.

Monday, February 23.

ROMAN CATHOLIC CLAIMS—PETITIONS FOR AND AGAINST.] Lord *Rolle* said, he rose to present a petition from the inhabitants of the county of Devon, against granting further concessions to the Roman Catholics, which had been agreed to at one of the most numerous meetings he had ever witnessed. In the prayer of the petition he perfectly concurred; and he took that opportunity of stating, that he never would agree to any measure having for its object the concession of political power to the Roman Catholics. At the meeting in which this petition was carried, two amendments were proposed; but, though both were ably supported, they were ultimately rejected, after a warm discussion, which occupied upwards of four hours, by a large majority. The petition was most respectably as well as numerously signed, and, in his mind, spoke very decidedly the sense of the county.

Lord *King*.—The noble lord has stated that this petition passed at one of the most numerous meetings he ever witnessed. Might not the noble lord have added, that it was also one of the most disorderly?

Lord *Rolle*.—I will say, that no public

meeting ever took place in any county, in which the business was more constitutionally conducted, or where there was a more complete adherence to every thing which tends to support the British constitution.

Lord *King*.—Then, perhaps, the noble lord thinks that it was proper and decorous for a clergyman of the church of England to act as a fogleman on the occasion, and to direct, by signs, who should be heard, and who should not. So great was the confusion, that the county member could not deliver his sentiments.

Lord *Rolle*.—No fogleman appeared at this meeting on the part of the supporters of the petition; but I will tell the noble lord that a fogleman acted for the Roman Catholics, and appeared in a very conspicuous situation. No man can lament more than I do the circumstance to which the noble lord has last alluded—I mean with respect to sir T. Acland; but it is impossible to prevent such occurrences when the public mind is in a state of excitation.

The Bishop of *Exeter* observed, that the noble lord had stated that a clergyman of the church of England had conducted himself indecorously at the meeting at which this petition was agreed to. Now, he understood that this was not the case. The clergyman alluded to, so far from putting himself forward on the occasion, did not make his appearance until towards the end of the meeting, for the purpose of delivering his sentiments on the question. It was a question in which the interests of the church were particularly involved; and he could not see why a clergyman should be debarred from giving his opinion on a proposition which affected the constitution of the country. Towards the end of the meeting that clergyman certainly did come forward with the intention of speaking; but, so far from acting as a fogleman, and influencing the meeting, the crowd assembled would not hear him. He would assert, that the clergy of his diocese had not put themselves forward farther than they were justified in doing. So unwilling were they to act in the prominent manner which had been ascribed to them, that he had received letters from some of the clergy asking his advice as to the course which they ought to adopt. He had the other day received a letter from one of his clergy, in which he requested to know whether it would be right for him to take a part in getting up

a petition on this subject. In answer, he had told the clergyman that he thought he had a right to do so.

Lord *Redesdale* said, that the attempt to cry down the established church, by bringing unfair accusations against the clergy, was to him extremely alarming. When the proper time came, he would stand forth as the defender of that much-maligned class of persons.

Lord *De Dunstanville* said, he had to present a petition from Cornwall in favour of the Catholic claims. There were, he believed, in that county, a great number of persons who were favourable to those measures of concession which his majesty's ministers had in view. The clergy were hostile to such measures; but very many of the land-owners viewed them with approbation, because they were of opinion that they would do more to tranquillize Ireland than could be effected in any other way.

Lord *Rolle* said, the noble lord, when he spoke of the Catholic claims as being favourably considered in Cornwall, must refer to his own immediate neighbourhood. He believed, if a general meeting were called, that the majority would be found decidedly against granting any further concession to the Catholics. Such a meeting was talked of, and he should like to know why it had not been held?

Lord *De Dunstanville* said, there was undoubtedly some talk of a public meeting, and he had written to a noble friend of his, that if it were his intention and that of his friends, to convene a meeting, he would attend it. Since that time he had heard nothing about it.

The Marquis of *Londonderry*, in rising to present a petition in favour of Catholic Emancipation, said, he was desirous of offering a very few words on the subject, because, from peculiar circumstances, he had been precluded from signing the declaration which had been generally disseminated through the sister country. But though he refused his signature to that declaration, still he had not, for a moment, swerved from the anxious desire he had always felt for the settlement of the Catholic question. The declaration to which he alluded had been sent to him by the secretary of the Catholic Association; and he considered it as an insult to transmit the declaration through such a channel, as if he were an abettor and upholder of that Association. Connected with Ire-

land as he was, he would say there never was any thing so prejudicial to the cause of the Catholics as the existence of that Association. The persons who composed it had, from its commencement, done nothing that was not calculated to alienate the friends, and constant supporters of the Catholic claims. What had been the course taken by those people in Ireland? Why, they had not merely debated on the subject of the Catholic claims, but they had declared that they would look forward to radical reform, to the repeal of the Union, and to the division of church property. It was declarations of this nature that had inflamed the minds of men of all descriptions. The bane of Ireland had been the clubs formed therein; and had the act of 1825 been carried decidedly into effect—had the Catholic Association been then put down—clubs would not have existed. But this was not done: a reaction was the consequence, and the whole country was thrown into a state of effervescence and agitation, which could not have occurred, if the bill of 1825 had been promptly acted upon. If the law for putting down the Association had been put in force, the public mind in Ireland would have become calm. He had passed some time in Ireland during the four last months, and he would say, that that country was never in a greater state of prosperity. It was under these circumstances that he hailed, with a feeling of gratitude, the measure which was about to be carried into execution for healing the wounds of that distracted country. He felt deeply interested in the success of that measure; and he hoped that the noble duke at the head of the government would use all his powers to carry it into effect. In doing this, let him bear in mind the exertions of those lamented statesmen who had worked and waded through many difficulties to carry this measure into effect, which the noble duke had at length taken in hand. It was, however, a most extraordinary thing, that this great object was about to be carried by those who had so long opposed it. He quarrelled not with those who had formerly been hostile to the Catholic question: he looked forward with joy and satisfaction to the great result. When they talked of the sacrifices which this man or that man might make, he confessed he thought there was only one individual, who could be said to have

made sacrifices,—and that was the individual who could not tender his resignation. If that individual took the course which he believed to be necessary for securing the happiness of one part of the empire he would be adored in that country hereafter, and he would be described in her annals as having achieved her salvation. In the quarter to which he alluded he believed there was a strong feeling in favour of the Irish people; and if the measure to be proposed by ministers received the royal assent, and became a law, it would excite feelings of gratitude from one end of Ireland to the other. His majesty would be handed down to posterity as the first sovereign who had in his Speech from the Throne, recommended to parliament the cause of the Roman Catholics of Ireland. Every noble lord had an opportunity of stating the feelings, with respect to this subject, which prevailed in those parts of the country with which he was connected. In the north of England, he had heard no expression of sentiment against it; and in the province of Ulster there was a general feeling in favour of Catholic Emancipation, accompanied by proper securities. In November last, it was his fortune to visit that county, with which he was intimately connected, and of which he was the representative for fourteen years; and he found in that county one sentiment of anxious desire to have this question set at rest. In that county, which was, he might say, the focus of the Protestant party, and the great dépôt of Orange feeling he meant the county and city of Londonderry—in that county all the converts that had been made were converts from strong Protestant feeling to a favourable consideration of the Catholic claims; while, on the other hand, not one person who had been in the habit of supporting the Catholic question had turned against it. This clearly showed that the question was gaining ground. It was a question which, he was persuaded, must be carried, and therefore he called on the legislature to look it in the face. The whole empire admitted that things could not remain as they were. For years it had been impossible to move in advance, because they had a divided government. The case was now, he was happy to say, completely altered. The cabinet were unanimous on this subject, and he hoped the legislature would support them. If the Roman Ca-

tholics should afterwards be so monstrously ungrateful as to attempt to disturb the Protestant constitution in church and state, Protestant feeling, Protestant energy, and Protestant firmness, would be opposed to any such ambitious project.

The Duke of *Clarence* said, it had been his intention to have stated his opinion on this important subject when the regular period arrived, which, if he understood rightly, was when the report of the bill for putting an end to the Catholic Association was received. No man more decidedly approved of that measure than he did; but of that more hereafter. He had risen now, in consequence of an expression which had fallen from his noble friend who had just sat down. His noble friend had said, that his majesty's ministers were now unanimous on this question, and that those who had been generally opposed to it, had become its advocates. It was this observation which called on him to address their lordships on this occasion, otherwise he would have delivered his sentiments on the bill which was nearly connected with the internal state of Ireland, rather than on the petitions of those who appeared to know little or nothing about the real situation of that country. It was remarked by his noble friend, that his majesty's ministers were now unanimous on a question, relative to which they were hitherto divided. He wished to God that his majesty's ministers had been unanimous on that question in 1825; or rather he wished that an united administration could have been formed in 1804, for the purpose of carrying this measure; for from that hour to the present, his opinion had invariably been, that what was falsely called Catholic concession ought to have been resorted to. He said "falsely called concession," because he maintained that that which was asked for was not concession: it was merely an act of justice, to raise the Roman Catholics from their present state of degradation. It was that, and nothing more. And when an act was passed for that purpose, he would pledge his life that it would have the effect of uniting and quieting eight millions of his majesty's subjects. Now that he was on his legs, he would state his opinions as shortly as he could; reserving to himself the right to support the noble duke and his colleagues, when he saw them so unjustly, if not so infamously, attacked. If his majesty's ministers, fortunately for the good of their

sovereign and of their country, were at length united, with reference to a measure of such great consequence, he did, from the bottom of his heart, thank the noble duke for having effected such an union; and he would support, as he ought, a measure which he most decidedly believed to be favourable to the best interests of the country. For forty years next month, he had had the honour of a seat in that House, and, during the whole of that time, he trusted in God that he had never given a vote at which he need blush; but unquestionably he never had given a vote with so much satisfaction as he should feel in voting, on every occasion, in support of the contemplated measure. He congratulated not only England but all Europe on his majesty's cabinet urging this subject on the consideration of parliament. He did so, because every man who had common sense must see that the settlement of this question would be beneficial to the interests of England; and he would maintain, that the interests of Europe were closely connected with the interests and prosperity of England. Every thing which operated to the preservation and security of British interests, operated also to the benefit of the general interests of Europe. He looked upon the measure which was about to be proposed as one of the most important for this country that could possibly be conceived. He was happy that the noble duke had been selected by his majesty to effect this great object. He rejoiced to see him placed in his present situation; and so long as he acted as he and his colleagues had hitherto done, so long should they have his hearty support. When he had thought it was right to tender his resignation, which his majesty was graciously pleased to accept, he, in the only conversation he ever had with the noble and learned lord on the woolsack had told that noble and learned lord, that he never would join in a factious opposition to his majesty's government; but that, on the contrary, he should feel it to be his bounden duty to support them, when their measures appeared to be calculated for the benefit of the empire; and he trusted that no action of his had since belied that declaration. Nothing but an absolute conviction of the important crisis at which the country had arrived, and a strong desire to support the noble duke's administration, could have induced him to come forward

on this occasion. The noble duke and his colleagues had acted openly, boldly, firmly, and valiantly; and he thought it but an act of justice thus publicly, before God and man, to declare his sentiments with reference to their conduct. Professionally educated as he had been, it had fallen to his lot to visit Ireland; and he should be the most ungrateful of men if he forgot the reception he had there met with. During all his professional experience he could bear testimony to the character, to the energy, to the bravery, and to the thorough good humour of Irishmen. If the venerable Duncan, who gained immortal fame by his victorious action with the Dutch, but who had served his country more by the energy and discipline with which he kept his fleet at sea, at the time of the mutiny at the Nore, were in existence,—if earl St. Vincent, whose blockade of Cadiz reflected the highest honour on him, were living—or if one who was more dear to him than any other officer in the service, he meant the great Nelson, the hero of the Nile, were in being—would they not hold up their heads in admiration, that the dawn of peace, and happiness, and tranquillity in Ireland had arrived—that justice was at length about to be done to the country of those men, who had been fighting the battles of the empire on the lower decks of the ships which they commanded? Sure he was that the service of the Irish Catholics could not be forgotten by the noble duke at the head of the government—that their bravery, their valour, and their devotion, in fighting the battles of their country, could never leave his recollection, and that their deeds must have been present to his mind, when he advised his sovereign to recommend their claims to the serious consideration of the legislature. For his own part, he would say, that he had differed with that noble duke on one particular occasion; but that difference should never alter his opinion, as to what the noble duke had done, or the great services he was now about to render to his sovereign and the state. He recollected all the achievements of the noble duke, and the victories which he had won for his country, from the period when he himself led on the first battalion at the storming of Seringapatam, down to the glorious day of Waterloo—that day which for a length of time had closed the horrors of war. The noble duke was a soldier; and

when he bore in mind the regiments which fought under his command, he must consider that he was only discharging a debt of gratitude, which he owed to those gallant men who had enabled him to achieve his victories, and had contributed to raise him to his present exalted situation. He trusted he had said enough to convince their lordships and the country, that he seriously intended to give his cordial support to those just measures of relief in favour of his majesty's Roman Catholic subjects. He should have, perhaps, a great deal more to say when the subject should come regularly before their lordships. It was a question which he had long turned in his mind, and considered in every direction, and under every point of view in which it could possibly be considered, and his settled opinion, for many years past, was that to which he had now given utterance. And here it might be asked, if such had been his opinion, why had he not stated it earlier, in some of the numerous discussions which had taken place. He would simply reply—because the measure had not been made a government measure. He felt no hesitation in calling on their lordships to look to his public conduct during the forty years that he had had the honour of a seat in that House; and he would ask any of them to point to any part of that conduct of which he ought to be ashamed. If he had erred at any time, he was sure it would be conceded to him, that he had erred with honour. He was ready to go through all the events of his public life, from the first time he mingled in public affairs, and to submit his conduct to the most rigid examination. He had commenced his early career on the benches of the Opposition. Since the year 1807, this was the third time he had troubled their lordships with his opinions on a public occasion. When it pleased the Almighty to render it necessary for the present sovereign of these realms to assume the office of Regent, he had formed a resolution that, although he should not be satisfied with every thing that might occur, he would thenceforth give his support to his majesty's ministers. To that resolution he had strictly adhered. On the Catholic question he had always maintained the same opinion; but he had not come forward actively to support the measure, not only because he saw his majesty's cabinet unfortunately divided upon it, but because

he saw that the measure itself was every year gaining ground, and acquiring such consequence, that the time was not far distant when his majesty's ministers would be compelled to make up their minds upon it; and he reserved the declaration of his opinion, until that period should have, as it now happily had arrived. He thought it more befitting in him to act thus, than to make that government, which was at all times arduous, still more difficult by giving to it his opposition. Entertaining that opinion, he had acted accordingly. The noble duke would recollect that he had expressed to him opinions similar to those which he now expressed at the period when he was removed from the high office which some time since he had the honour to fill. In a conversation which he then had with the noble duke, he expressed his sorrow that the government should continue divided in opinion upon that question, which, above all others, involved the interests and safety of the country. He had added, that while such differences in the cabinet existed, the measure should not have his support; but still it was his opinion that it ought to be carried. Thank God the day had at length arrived for the carrying of this healing measure of liberality and justice. He was not in the secrets of the cabinet; but he trusted that, when introduced, it would be found less objectionable than was now supposed; and particularly by the right reverend bench. He trusted that, before the measure was brought under consideration, those right rev. prelates would seriously deliberate, duly weigh, and anxiously consider in what way they ought to act—that they would keep in mind that they were the ministers of peace—that they would consider whether the situation of this country and that of Europe at large, was not such as that different events, upon which none could calculate, might, at no distant day, be productive of war—that they would seriously ask themselves whether their persevering opposition to the claims of their Catholic countrymen might not hasten such a crisis, or produce far worse—a civil war at home; and, in such a case, how would they dare to call themselves the ministers of peace? Let the right rev. prelates duly weigh these considerations, before they determined on opposing his majesty's ministers. He would repeat, that he knew not the exact nature

of the measure which was to be introduced. It was sufficient for him, that the intention of bringing it forward had been announced, and he thanked his God that the measure of justice was at length about to be carried into effect, which would tranquillize that dear and generous, and aggrieved country, whose rights had been so long withheld.

The Duke of *Cumberland* said, he had not the smallest intention of troubling their lordships on the present occasion. He had already openly, publicly, and unequivocally expressed the line of conduct which he meant to pursue, in reference to this question. On the present occasion it was truly painful to him—and he trusted his noble relative would believe him when he said so—to be obliged to rise to express his astonishment when he heard the words “factious” and “base” applied to the opposition to his majesty’s ministers, and when he heard the words “unjust,” and “infamous” applied to the conduct of himself and those who with him felt it their duty to oppose his majesty’s ministers in this instance. He would put it to noble lords whether there was any thing in his (the duke of Cumberland’s) conduct in reference to this question to justify the application of such epithets? He had fairly and candidly stated his conscientious opinion as to the evils with which these measures were fraught: and he would now put it to his noble relative, and to other noble lords whether, in so doing, he had acted either basely or infamously.

The Duke of *Sussex* said, that his illustrious relative who had just sat down had taken the expression employed by his other noble brother not in the sense in which it had been meant. In his opinion, his noble brother had merely applied the expression which he had used to the general outcry which had been raised against the administration on this question. If his illustrious relative chose to take the expression to himself, it was an affair of taste with him to do so; but the expression was plainly intended to apply to the way in which the Speech from the Throne, recommending the House to take the measure into their consideration, and to see how, providing duly for the security of the church and state, and looking to the interests of the bishops and clergy, it could be finally settled, had been received. When their lordships recollected the language which had been applied to that truly bene-

ficent recommendation—when they bore in mind the language which had been adopted abroad in reference to that Speech, he was sure they would agree with his noble brother in characterizing it as base and infamous. These expressions were not meant to apply to any noble individual; but to the feeling which existed in parts of the country. It should not be forgotten, that but a few evenings ago it had been stated in that House, that the question was, whether this was to be any longer a Protestant or a Popish parliament—a Protestant or a Popish government? That was a most unfair way of putting the question, and a most unconstitutional manner of endeavouring to influence the public mind. Their lordships were aware, that expressions employed in that and in the other House of parliament, went forth to the country, and weighed much with the public in forming their judgment on questions of this important nature; and they should therefore be cautious not to use expressions calculated to excite passion and prejudice, and mislead the public mind.

The Duke of *Clarence* said, that the expression “infamous” he had most undoubtedly employed. He did not deny the words, nor would he retract them. But he would deny that they were applied, or ever could be applied, to his noble relative. Indeed, he could not help suspecting that his illustrious relative had been so long abroad that he had almost forgotten what was due to the freedom of debate in this country.

The Earl of *Eldon* said, that though the expressions used by his royal highness the duke of Clarence, did not immediately apply to his illustrious relative, it was evident that they were applied to those who thought and acted with that noble duke, in reference to this question. Now, with all humility, he would dispute the charge of base, or infamous, or factious, as applied to his conduct on this occasion. It was not in a base, or infamous, or factious manner, that he opposed the measures of the noble duke at the head of the government. He would tell that noble duke fairly, that there was no man he should be more afraid to attack; but he would find in him a generous enemy, and in opposing him he would merely discharge his duty as an independent peer of that House. It was a mighty easy thing for noble lords to talk of the present situation of affairs: but he would say, God

grant that the country may not have to repent of these measures. At all events, he would do his utmost to prevent this country from being converted to Popery, and from having, instead of a Protestant, a Popish senate. It was said that all the opposition to the measure was factious. Such a charge he would unequivocally deny. It was impossible for him to forget the duty which he owed to his country; and if it were factious to stand by the country, to support the Protestant religion, the Protestant state, and the Protestant constitution, as established in 1688, he was ready to plead guilty to the charge. But it was contended that the country had not been taken by surprise. By the way, he might here remark, that of those measures which ministers had pledged themselves to introduce he as yet knew nothing; and he did not know as yet in what light he should consider them, until he was aware of their precise nature. As yet those measures which were so highly lauded on one side of the House, and against which so many objections were raised on the other side, were known to no one. No man as yet knew what they were; and it was idle to deny that, under such circumstances, the country had not been taken by surprise. He did not say that the noble duke intended to take the country by surprise; but he would ask, what was the obvious conclusion to be drawn from the noble duke's letter to Dr. Curtis? That letter he could not understand; for the noble duke would allow him to say that it was neither English, nor Irish quite. It first recommended the burying of the question in oblivion, and it next recommended that the interval should be employed in considering all the difficulties with which the subject was surrounded. Now, he would ask, whether any man living, who had read that letter at the time it was published, could have possibly expected that the Catholic question would be recommended to the consideration of parliament in a Speech from the Throne on the 5th of February following? He was far from complaining of that message. On the contrary, he thought it ought to be attended to with the most profound respect; but to enter into the consideration of the subject before any bill had been introduced was, in his opinion, quite a new way of proceeding. He had risen for the purpose of stating this only that, although it had been asserted by two illustrious person-

ages, that those who opposed the measures were "factious," he had risen for the purpose of saying that, the conscientious conviction that it was his duty to do so, he should give them his most decided opposition; but, in case he had misconceived the nature of them, he should then be glad to support them.

Earl Grey commenced by observing, that the noble earl who had just sat down had been amongst the first to deprecate discussions on the presentation of petitions, and he had now followed an example which he had before condemned. For himself, he was ready to admit the inconvenience of such discussions; and, in presenting petitions to their lordships, he had always felt it his duty to content himself with saying as few words as possible. But he denied the assertion of the noble earl, that the discussion had, in this instance, been introduced by the royal duke in an irregular manner. It was expressly stated by the learned lord on the woolsack, that the question was, whether the petition should lie upon the table; and the royal duke had a perfect right on that question to address their lordships. There were some things in the noble earl's speech which he (lord Grey) could not suffer to pass without animadversion. That that noble earl would with ability, and by every means likely to give effect to his exertions, oppose the measures of his majesty's ministers, he entertained no doubt; nor did he believe that the noble earl would be deterred by any imputation of factious motives from relaxing in his opposition to those measures. But when that noble earl repelled the imputation of "factious" he would advise him to take care that his opposition was conducted in such a manner as not to deserve the name. He had himself passed his political life in opposition; and having been as much exposed as any man to the imputation of "factious" he was not disposed to cast such an imputation on the opposition of others. But he spoke, let it be recollected, of a fair, honest, legitimate opposition in that House; and he must say, in justification of the royal duke, who, in delivering an opinion that did him so much honour, with a patriotic zeal for the interests of the country, and with an effect that must be followed by important consequences throughout the empire, had spoken of the factious opposition which had been raised against this question. In justice to that royal

duke, he must say, that his complaint was well put, and that he was amply borne out by facts. He would not advert in that House to the publications in a portion of the daily press with which they were every day disgusted, and in which the private lives and the public conduct of the supporters of these measures of concession and relief were shamelessly and scandalously attacked. But he would ask the noble earl, what had actually passed in that House? What had he heard there, even that very evening? Opinions had been broached which, at any other time, and under other circumstances, would have called for the reprobation and censure of the House. Let noble lords oppose the measure fairly, openly, and manfully, if they choose. Let them urge all the reasonings which they could collect against the measure, but let them not endeavour, by putting forward unjust representations of it, and sending forth assertions from that House as watchwords through the country—watchwords of sedition and treason [hear, hear], to arouse violence, and stir up resistance to the legitimate government of the country. Was it not stated, that the sovereign would forfeit his diadem if he should give his consent to the measure? He would ask the noble earl, if that were a fair, a legitimate, species of opposition? Was it not stated in that House, that if the king consented to the measure, he would renounce his religion and violate his coronation oath? Was that he would again ask, a legitimate means of opposition; or did it not, on the contrary, well deserve the epithet of factious? Was it not stated, that if this measure passed, his majesty's right to the throne of these realms would cease? Was not this doctrine broached; and had not the royal duke the right to complain of it? Was it not stated, that if this measure passed, not alone his present majesty, but his whole family would be excluded from the throne, and that the right of succession would not revert to the people and the parliament, who had conferred it, but to the obscure and almost unknown House of Savoy? These things having occurred in debate in that House, the royal duke had a right to declare his sentiments and to reprobate such a species of opposition. The royal duke opposite (the duke of Cumberland) should seriously deliberate on the sentiments which he delivered in that House, and on the effect which they

might produce in the country. The royal duke had a right to stir up a reasonable and legitimate resistance to the measure; such a resistance as loyal subjects might give to the government, without exciting amongst the ignorant and deluded, a furious zeal against the measure which was to come before their lordships. He could not here help alluding to that assertion of the royal duke, which he had not attempted to maintain by argument, that the question now was, whether this was to be a Popish or a Protestant government, a Popish or a Protestant parliament. He was sure that that illustrious person entertained the conscientious opinion which he had expressed. But, in putting it forward as an argument against the measure, its effect must be bad. Let noble lords reflect but for a moment on the mischief which must follow such a declaration going forth from such a quarter. What must be its effect on the country? Was it not calculated to operate as a watchword throughout the land, and to introduce violent feelings amongst the people. The noble earl would, no doubt, oppose the intended measure with his wonted ability. But whenever the discussion came before their lordships, he would pledge himself to refute the noble earl's doctrines with regard to the constitution of the country, and to prove that the noble earl's statement, that these laws which were about to be repealed formed a fundamental part of the constitution, was entirely unfounded.

The Duke of *Wellington* said, it was not his intention to take any part in the discussion, which he must say had been very irregular. That it was irregular, was evident from the fact, that at that moment no one peer knew what were the measures of the government. He merely wished to explain as to the letter to which reference had been made by his noble and learned friend. His noble friend had said, that he would oppose him, but that he would be a generous enemy. Now, he could never consider his noble friend in the light of an enemy at all. He could not forget his old habits of friendship with his noble friend; and if he differed from him on this subject, he could never lose the feelings of respect which he always entertained for his noble friend. His noble friend had referred to his letter to Dr. Curtis, to show that the country had been taken by surprise. Now, he never intended that letter for publication, and

with the publication of it he had nothing to do. But his noble friend said, that the expressions used in that letter were such as to lead the public to conclude, that no measure of concession would be introduced this session. His noble friend should, however, recollect, that the expression there used was nearly similar to that which he had employed at the close of the last session. How he could intend to surprise the public, when he never addressed the letter to the individual to whom it was directed, for the purpose of publication, much less had any hand in the publication of it, he was at a loss to conceive. He could not sit down without deprecating the spirit in which these discussions were conducted; and he would beg to remind noble lords, that his majesty had recommended them to consider the question with "temperance and moderation."

The Earl of *Eldon*, in explanation, said, he did not impute any improper motive to the noble duke. He had merely said, that the country had been taken by surprise, when they heard the Speech from the Throne, so soon after the letter which had been so improperly published. No man who had heard the noble duke's speech, at the close of the last session, could have anticipated such advice to his majesty, as that contained in the Speech from the Throne; but, at the same time, he admitted that the noble duke was at liberty to change his opinions, if he saw reason for that change. As to the noble earl, he had always found him a fair and honourable antagonist, and had endeavoured to pursue the same course on his own part.

Earl *Grey* said, it was now his duty to present to their lordships a petition which, during the last five and twenty years, he had had the honour of presenting to that House. It was the petition of the Roman Catholics of England. It was signed most numerously and respectably, by all the Roman Catholic nobility, aristocracy, and a great proportion of the Catholic population of this country. The petitioners began by praying the House to take their claims into consideration; and those claims he would rest upon the grounds of justice and policy—on the ground of justice, as the petitioners prayed relief from disabilities which could not be imposed upon any English subject, except on account of some great state necessity; and on

the ground of policy, because the peace and safety of this great empire had been too long endangered by a divided government, parliament, and people. The petitioners considered it to be an aggravation of the injury, that it should be imputed to them, that their end was a monopoly or an ascendancy in the advantages of the constitution, and not an equality of political rights. He referred to this well-founded complaint, because the unjust calumny upon the petitioners, which gave rise to it, had proceeded from a quarter whence he least expected it. He considered that no more unjust imputation could be alleged, than to charge the Catholic religion, with being essentially prolific of immorality and superstition. He believed there was a great deal of error in that religion; but he must proclaim it to be unjust to confound its doctrinal imperfections with its essential principles, or the conduct of its professors. On that point he confidently appealed to their lordships, whether the Roman Catholic church had not, in every age, furnished examples of the most conscientious rectitude, sincere piety, and the most heroic devotion—whether the Catholics of England were not then and had not always been, as loyal as any other class of his majesty's subjects. If the members of any Christian denomination were to be "judged by their fruits," he would ask, what denomination could boast of more distinguished citizens—of more heroic defenders of liberty? He could not but lament that such unjust imputations had been alleged against the Catholics. Noble lords who shot these poisoned arrows did not sufficiently consider the wounds they inflicted. What was the answer to those who charged the Catholic religion with being in its nature corrupt and demoralizing? In the first place, if it were true, it would be charging the large majority of the Christian world with having been followers of a corrupt and demoralizing religion; for the Catholic form of worship was that which had prevailed in the Christian world for ages. More than that, the Catholic religion was the predominant one at that moment among Christians; for the Catholics were by much the most numerous of those branches into which, since the Reformation, Christianity had divided itself. Those who argued thus on the corrupt and demoralizing nature of the Catholic faith, forgot that it was from the votaries of that faith that their lordships

and all other Protestants, received the Christian dispensation itself. It was therefore not only uncharitable, but unwise, to cast those unjust imputations upon a religion that was not alone the only religion of the ancient Christian world (still that which had most followers), but the source whence the reformed religion itself had sprung. He repeated, that he considered the Catholic tenets to be mixed up with error; but he still thought it too much for a frail human being to pronounce on the final consequences of those errors. He thought that, so long as the Deity was worshipped in perfect sincerity, it was not for frail humanity to attempt to divide man from man, and sow disunion in the Christian world, merely on account of doctrinal or disciplinarian differences. No man more lamented the errors of the Catholic faith than he did; but it would be unjust and uncharitable therefore to exclude its professors from their rights of citizenship. In presenting the petition, he thought it right to state, that the numerous and respectable body from whence it came rested in perfect confidence on the gracious recommendation that had proceeded from the Throne, in favour of themselves, and their brethren in Ireland. He presented the petition with a conviction that its prayer would be granted, and a hope that it would be the last he should ever have to bring under their lordships' notice. He trusted that before another session he should be able to congratulate the duke of Norfolk, and the other Catholic peers who had signed the petition, not as strangers outside the bar, but as peers in their places in that House. He looked to that among other consequences of the intended measure of ministers; for, though he was not acquainted with the exact nature of the measure, he rested satisfied that it would be one of extensive relief. He trusted, indeed he was confident, that it would not be clogged with such securities as would destroy its efficacy. To securities, other than what equal rights, and equal protection by the laws, and equal interest in the integrity of the state, afforded, he was ever in principle opposed. He, however, would not object to such as would satisfy the conscientious Protestants, while they did not trench upon the just rights of the Catholics. He would not object to such as would ensure the success of the measure, by allaying the apprehension of all parties.

ASSOCIATIONS SUPPRESSION (IRELAND) BILL.] On the order of the day for bringing up the report of this Bill,

The Earl of Mountcashel said, he had some amendments to propose to the measure now under consideration, but the absence of many noble lords interested in the measure, would prevent him from proposing them at present. He might state, however, the grounds on which he deemed it necessary to move them. He did not think it possible to carry the present measure without doing injury to institutions on which this bill was not intended to operate. He feared that the bill would have the effect not only of suppressing illegal associations, but of suppressing associations which were perfectly legal, and productive of great benefit. Through the instrumentality of this bill, for instance, associations for the education of children and the diffusion of religious knowledge amongst the people might be suppressed. It might be asked, how the bill could affect such associations. The fact was, that associations like those to which he had adverted were opposed by the priests in Ireland. It was well known that many societies which were perfectly peaceable, had met the most strenuous opposition from the Irish priesthood. They had opposed even schools for the education of infants; on the ground that those schools were supported by Protestants; and the priests feared that, by-and-by, the children would become attached to those schools or to others founded by Protestants, and acquire feelings of kindness and gratitude to their Protestant benefactors. Since the priests had heard of the bill now in preparation they had expressed their determination to knock up all those religious societies to which they were opposed. They had already sent forth thousands for the purpose of annoying the persons assembled in those meetings, and to give them the character of riotous assemblies. The priests were of opinion that if they could create riots at the meetings of those religious associations, the meetings would be suppressed, in the same way as if they were political meetings. He trusted they would receive an assurance from the noble duke, that associations now existing, and which were founded on the basis of charity and the extension of education, should not be suffered, by any vagueness or perversion of the law, to share the fate of

associations of an injurious character. Another subject he should advert to; and that was, the use now made, and likely to be hereafter made, of churches or chapels, for the purposes of party, or seditious discourses, under the guise of sermons. Places of public worship should never be applied to purposes of political discussion: and, unless some clause, not now in the bill, was introduced to prevent the possibility of this recurrence, he could assure the noble duke, that the attempt would be made to pervert those meetings, which ought to be strictly of a religious character, to very dangerous objects, by the priesthood and others in Ireland. Indeed, without a clause expressly framed to meet this evil, the bill must fail of its desirable object.

The Duke of *Wellington* said, that with regard to the first point, he begged their lordships to bear in mind, that power was vested in the Lord-lieutenant to declare any meeting or assembly unlawful, and upon notice that it was so, he might grant a warrant to two magistrates to disperse it. For the exercise of this power the Lord-lieutenant was responsible; and he believed the noble earl would admit, that if the Lord-lieutenant was responsible, it was not likely that he would issue his warrant to disperse any meeting or assembly for the purposes of charity, or of education. Neither was the Lord-lieutenant likely to disperse any meeting which had a legal and beneficial object, merely because that object was likely to be obnoxious to others. With respect to the use of chapels for the purposes of seditious meetings, he begged to say that there was nothing in the Act which would either directly or indirectly warrant their being applied to such an use. The Act would enable the Lord-lieutenant to issue his warrant to two magistrates to put down seditious meetings, wherever he was informed they were held. The noble lord had spoken of seditious sermons. If such sermons were preached, the preachers would be answerable to the law of the land.

Lord *Redesdale* feared, that chapels would be made use of, not for the purpose of preaching seditious sermons, but to discuss political subjects, in the same manner as heretofore. It might be extremely difficult to prevent such places being appropriated to improper purposes, but the necessity of endeavouring to effect this

object was apparent. The Catholic Association, though manifestly guilty of illegal acts, had been suffered to go on without prosecution, for a long time. In his opinion, the members of the Irish Government had been for a great length of time grossly negligent. If they had done their duty, it would have been impossible for the Catholic Association to have gone the lengths it had done. He wished to suggest to the noble duke the propriety of adding a clause, for the purpose of preventing some serious inconveniences that might arise from the bill, if passed in its present shape. Noble lords knew that at meetings convened for the most innocent, not to say useful, purposes, persons adverse to the object of these assemblies might interfere for the purpose of converting them into riotous and disorderly assemblies. They must be aware that this had been recently done in London. His object was to obviate the ill effects likely to arise from such proceedings: and he proposed that words to this effect should be inserted in the act—"Provided that nothing in this act shall be construed to authorise the suppression of any association assembled for lawful purposes, on the ground of any disturbance that may arise in consequence of the intrusion of persons not members of such association." The object of this provision was, to prevent what would otherwise be the consequences of a practice that had recently taken place in London; namely, that of persons coming into meetings to the object of which they were opposed, for the purpose of interruption, and converting them into riotous assemblies. The introduction of such a clause would quiet the minds of many persons in Ireland, who were desirous of lending their assistance to the instruction and improvement of the lower orders, and who would otherwise be liable not only to disturbance, but to legal annoyance. If such a provision were not made, persons who held adverse opinions might rush in, and by creating disturbance, render a society the most useful, amenable to the law. From what he knew of the character of the people of Ireland, he believed that, if left to themselves, they would be quiet, orderly, and submissive; but the priests had great influence over their minds, and unquestionably did not exercise the influence they possessed in a manner, to encourage good order, tranquillity, and submission to the laws. When he was in

Ireland, he had had opportunities of ascertaining that such was the fact. He had seen many Roman Catholic priests who were undoubtedly respectable persons, —one in particular, who had told him that we had made a great mistake in establishing the college of Maynooth for the education of the Roman Catholic priesthood; a circumstance which, instead of leading to the improvement of that class, had produced an effect directly the reverse. "I," said the gentleman, "was the younger son of a good family, and was sent to Salamanca to be bred up for the priesthood; there I received the education of a gentleman, and associated with gentlemen: the freest intercourse subsisted between us, which, as might be expected, produced corresponding beneficial effects. True, I was taught no particular submission to the government of Ireland, but generally speaking, I learned that obedience must necessarily be paid to a government, and received the instructions necessary for persons whose object it was to take holy orders. The difference between this species of education and that obtainable at Maynooth is the greatest that can well be conceived; a vast number of those educated there, are persons of the lowest description. Thus, instead of having a clergy of gentlemen, we have a clergy composed of individuals of a very different character." Such were the sentiments of this gentleman, himself a Roman Catholic priest. The conversation which he had had with this gentleman had fully convinced him, that persons intended for the clerical profession were brought up at Maynooth in a manner not likely to render them good subjects. He had also talked with Roman Catholic clergymen educated at Douay, and their evidence fully confirmed the statement. If it were possible to contrive that the Roman Catholic clergy of Ireland should be selected from a different description of persons, and differently brought up, it would be extremely desirable. The manner in which these persons were at present educated at Maynooth was highly objectionable. It was extremely important that those brought up specially for the purpose of instructing the lower orders should be brought up in ideas consistent with good government. Much disturbance had arisen in Ireland from a neglect of this. One further remark. The relations now subsisting between the Catholic gentry and the Catho-

lic priesthood were very different from what they were thirty years ago; and this was very much owing to the circumstances he had referred to. Formerly, the Catholic priesthood was composed partly, of the younger sons of country gentlemen: consequently, that class was in habits of social familiarity with the Catholic clergy, who were respected accordingly. Perhaps, the father or elder brother of the priest inhabited the parish to which his relative was appointed, and the most intimate union subsisted between the Catholic clergyman and the respectable inhabitants. Now the case was different, because it was a part of the present system—and in some degree a necessary part of it—that the priest should not be appointed to the parish of his birth. In that parish, if he sprung from the lower orders (and such was generally the case) the priest might find relations of his own—a father, or a brother—in a situation so low, as to degrade him in the eyes of his flock; consequently, it was desirable that this should be avoided, and the priest located in a parish in which he was unknown. Another circumstance to which he would allude had produced much of the mischief. A great number of the ancestors of the Roman Catholics of the present day possessed property, which had been, from time to time, declared to be forfeited; and the confiscation of this property conveyed away, along with the land, the right of presentation to church livings to other hands; but the descendants of these confiscated ancestors were allowed to name clergymen to Roman Catholic chapels, as if the old rights still existed, and they were entitled to do so. The connexion between the Catholic gentry and clergy was preserved by means of this nomination; which, however, had been done away with since the establishment of the college of Maynooth. This had been a great cause of separation between the gentry and the priesthood. According to the old practice, a clergyman might be presented by his elder brother to his parish. No such thing could now occur. He did not mean to say that the noble duke at the head of the government should give any such power of nomination; but it would be extremely desirable, if the Roman Catholic gentry of Ireland could have that sort of connexion with the priests which they formerly had, or something like it. In every Roman Catholic country that

sort of connexion existed: and it was well known that it also existed in this country, as respected the Protestant gentry and clergy. For the sake of the respectability of the priesthood, it was important that such a connexion should exist, and it was also desirable that the priests should be persons of respectable birth. If he was rightly informed, however, they were, as he had already said, persons of the lowest description. The noble lord then alluded to the internal regulation of Maynooth college, with respect to the visitation of which he observed, that the power was vested in the lord chancellor of Ireland, the two chief justices and the chief baron, and in five Roman Catholics; so that if the Protestant visitors disapproved of any thing and attempted to alter it, they were sure to be out-voted. If the college was to continue in existence, it ought to be put under some other regulations; but what they were he would not then say. With respect to the present measure, if it was intended to take effect, it became the duty of every one to suggest what he could for the purpose of aiding its operation and restoring good order, for that was the thing that was really wanted. He knew something of Ireland, and he was aware that the character of the lower orders in that country was of that description, that if not urged on to mischief, they were well disposed to be a quiet and orderly people. He had reason to know the character of the Irish peasantry, and the recollections connected with it overpowered his feelings. Here the noble lord was so much overpowered by his feelings, as to be unable to proceed.

Lord *Lorton* confirmed the statement, that the Roman Catholic priesthood of Ireland, as at present constituted, was adverse to every species of improvement among the people.

Lord *Redesdale* said, that what had affected him so much just now, was his strong recollection of the personal attachment which had been shewn him by the lower classes in Ireland. He spoke more especially of those who were his own workmen.

The Earl of *Wicklow* said, he could not admit that the Roman Catholic priests deserved the character which had been given of them. He knew that, generally speaking, they were selected from a lower class than the Protestant clergy, and some of them, perhaps, were not well-disposed; but he believed the great majority to be

orderly and well-affected. He was persuaded, that when the great measure, now in contemplation, should be carried into effect, the Catholic priests would prove as loyal and well-disposed subjects, as any that his majesty had.

The Marquis of *Downshire* concurred in opinion with the noble earl, as to the Roman Catholic priesthood, whom, as a body, he believed to be a most valuable class of society. A most difficult task devolved on them. They had the care of a large population, not possessed of the advantages of instruction. An allowance should be made for the difficulties under which they laboured, in managing a population so circumstanced.

The report was agreed to.

HOUSE OF COMMONS.

Monday, February 23.

MINUTES. Mr. *PLANTA* moved a new Writ for Westbury, in the room of Sir *MANASSEH MASSEH LOPEZ*.—Sir *W. GUISE* moved a new Writ for Newark, in the room of Sir *W. H. CLINTON*.—Mr. *WHITMORE* postponed his Motion for a Select Committee to inquire into the state of the Trade between Great Britain, the East Indies, and China, till the 30th of April.—Mr. *SPEAKER* acquainted the House, that, in pursuance of the recommendation of Select Committees in the years 1825 and 1826, a General Index to the Bills, Reports, Accounts, and other papers printed by Order of the House of Commons, 1801—1826, had been completed. It was ordered to be printed.—Mr. *SPEAKER* informed the House, that on the most mature consideration of the best means of facilitating the putting on the Journals of the House, the proceedings of Committees of the whole House, a plan had been prepared, which would not, in the slightest degree, interfere with the progress of those Committees, or create any inconvenience whatever, but which would materially tend to fill up the dropped links necessary to complete an historical reference to the proceedings of Parliament; and thus supply the only deficiency existing with respect to those important subjects which, according to the rules of the House, must necessarily originate in Committees of the whole House. It appeared to him, that the plan was one which was well worthy the consideration and adoption of the House.

ROMAN CATHOLIC CLAIMS—PETITIONS FOR AND AGAINST.] Mr. *J. Browne* presented a Petition from the inhabitants of Westport, in the county of Mayo, in support of the Claims of the Roman Catholics. The hon. member expressed his great happiness at the prospect now rising upon the united kingdom—the prospect of peace and reciprocal good will, hitherto so lamentably and so vainly sacrificed.

Mr. *Webb* presented a petition against any further concessions to the Roman Catholics, from the rural dean and the clergy of the rural deanery of Gloucester.

Mr. *B. Cooper* said, he had been requested to support the prayer of this

petition, and to state, on the part of the reverend petitioners, that the rural deanery of Gloucester, contained the spot on which bishop Hooper suffered martyrdom; that the ashes of that prelate lay entombed there; that his fate urged them to implore the House not to consent to any measure which should give further power to the intolerant church, whose ministers had been guilty of so barbarous a murder, whose creed was unchanged, and whose spirit would be destructive if not restrained by Protestant domination.

Mr. *Hobhouse* said, he had a great respect for the rural deanery of Gloucester, and for the spot on which bishop Hooper suffered martyrdom; but, for all that, the petitioners ought to have confined themselves to facts. The petition prayed the House to reject those claims now, which it had repeatedly rejected before. Now, whatever knowledge the petitioners might have of what passed respecting bishop Hooper, they appeared to be very imperfectly acquainted with what passed in modern times; for it was a fact, of which the rural deanery seemed ignorant, that instead of having repeatedly rejected the measure of Catholic concession, the House of Commons had repeatedly approved of it.

Mr. *Estcourt* said, that the objection of the hon. member for Westminster, was not well founded. The House had not acceded to the claims of the Catholics, but only to the appointment of a committee to inquire into those claims.

Lord *Nugent* said, that the hon. member for Oxford seemed to have forgotten the case he had risen to prove. The petitioners stated, that the House had repeatedly rejected the claims of the Catholics. Now this was not the fact; nor was such an assertion supported by the argument of the hon. member, when he said, that the House had only granted a committee, and not the claims.

Mr. *Estcourt* said, his argument was, that the House had not repeatedly granted the claims of the Catholics, which the hon. member for Westminster said it had.

Dr. *Phillimore* said, that the hon. member for Oxford was still wrong. The House had twice passed a bill for the relief of the Catholics. He must be allowed to say, that the view taken by the hon. member for Gloucester of this question was most dangerous, when he called upon the House to recollect that the blood of mar-

tyrs had been shed, and that that blood cried for vengeance. It was a mistake, too, to suppose that the constitution would be infringed by granting the claims of the Catholics. When the time came, he should be prepared to show, that, far from changing the Protestant constitution of this country, the effect of concession would be to unite all men in the defence of it.

SIERRA LEONE—[THE CANADAS.] On the order of the day, for bringing up the Report of the Committee of Supply,

Mr. *O'Neil* inquired of the Secretary of State for the Colonies, whether government had made any arrangement for the abandonment of Sierra Leone.

Sir *George Murray* said, he was not aware that such a question would have been put to him that evening; but he was perfectly ready to answer, that it was not the intention of government to take any immediate measures for the abandonment of the colony of Sierra Leone. It had been their object to reduce the expenses of the colony as much as possible, and, by other means, to pave the way for an abandonment of it at some future period; but there were several considerations which prevented its immediate relinquishment; and, among others, the important one that there was a large number of liberated Africans in the colony, who, if the colony were abruptly abandoned, would inevitably return to the condition from which they had been taken.

Mr. *Hume* observed, that in answer to a question which he had put last year, he had been given to understand that arrangements were in progress for removing our establishments entirely from the colony of Sierra Leone. If he had not so understood it, he would have brought the subject under the consideration of the House. It was with deep regret, he found his majesty's government determined upon retaining a colony, which had been notoriously the tomb of a greater number of Englishmen than any other possession on the face of the globe; and that, without a single advantage attending it, in spite of the mortality which occurred year after year—one governor dying off after another, and one corps after another. The reason assigned by the right hon. gentleman, was also most unsatisfactory; for we were every day paying large sums to add to the number of the captured Africans, and thus

adding to the difficulty of which the right hon. gentleman complained. There were many ways in which those unfortunate individuals might be disposed of, better than by leaving them in a condition which was worse than ordinary slavery. He pledged himself to take up the question during the present session, and he regretted that he had been prevented doing so last year, in consequence of the intimation that the colony was to be abandoned.

Sir *G. Murray* said, he did not recollect having last session given the hon. member the intimation to which he had alluded. He repeated, that an arrangement was in progress for abandoning Cape Coast Castle, but he was not aware that there was any intention at present of abandoning Sierra Leone. The difficulties in the way of the latter, were difficulties, for the creation of which he was not responsible.

Mr. *Huskisson* said, he had never intimated, during the time that he had held the seals of the Colonial Department, that it was in the contemplation of government to abandon Sierra Leone. Every practicable step, however, had been taken to reduce the mortality in that colony; and with that view the duties of it had been made to devolve as much as possible on the voluntary residents in the colony, and on the African corps. When he stated, that the private property in buildings, &c. in the colony, amounted to above a million sterling, it would at once be seen, that any sudden abandonment of it would be attended with injustice as well as with difficulty. The same obstacles, however, did not exist with reference to Cape Coast Castle.

General *Gascoyne* was sorry to hear his right hon. friend treat the question of the abandonment of Sierra Leone as one of economy, and not of humanity. If government persisted in keeping up that colony, he should feel it his duty to move for a return of the number of Europeans who had perished there since the first establishment of the colony. He considered the colony one of the most ruinous undertakings, both as respected human life and money.

Sir *G. Murray* trusted, that he possessed the most humanity as the gallant member. It was not entirely on a principle of economy that he looked at the question of the abandonment of this colony; but he would remind his gallant friend, that this was a case in which there

was humanity against humanity. The establishment was first set going with a view to humanity, and now continuing it would show a want of humanity. He would only repeat, that arrangements were making, which would pave the way to the abandonment of the colony.

Mr. *Labouchere* said, he was aware that the present was not a fit occasion for entering upon the immense question of the state of the civil government in the Canadas, and he would, therefore, confine himself to asking the right hon. Secretary, whether it was his intention to propose, during the present session, any measure respecting those colonies, or to lay before parliament any information respecting them? He confessed he was peculiarly anxious to obtain satisfaction on those points, before the House was called upon to vote a large sum of money for the purpose of fortifying the Canadas. A declaration from the right hon. Secretary of his intention to do every thing in his power to conciliate and pacify the colonies would be an act of grace before the vote to which he had referred. He perceived by the newspapers, that the same unfortunate disputes which had so long agitated the colonies still prevailed. He thought it was impossible to establish peace in those colonies, unless they were governed in accordance with the feelings of the local legislatures and of the people. He did not make these observations from any feeling of distrust of the right hon. Secretary; although he confessed, that, from something which had fallen from him, he feared the right hon. gentleman was not fully sensible of the importance of the subject.

Sir *G. Murray* begged leave to state, that he was extremely desirous to bring before the House a measure respecting the state of the Canadas, and he felt confident that that measure would be found to effect the desirable object in view; but he could not, for various reasons, at that moment enter into a description of what that measure would be. One reason was, that there was a great deficiency of information respecting the state of the colony, which deficiency he expected would be very shortly supplied.

The resolutions of the committee were then read and agreed to.

LIFE ANNUITIES BILL.] The House having resolved itself into a committee on the Life Annuities Acts,

The *Chancellor of the Exchequer* said, he rose, in pursuance of an intimation which he gave at the conclusion of last session, that he would, at the commencement of the present, introduce a measure to authorize the granting of Annuities by the commissioners for the reduction of the National Debt. He would briefly state the principle on which he intended to proceed with respect to the bill. His object was to extend the principle laid down in the former act, repealed last session, with respect to the granting of Annuities, and to establish a more accurate basis for calculating the value of Annuities, in order to combine, with the greatest possible convenience to that part of the public interested in the purchase of Annuities, security against loss on the part of those who granted them. With respect to the extension of the principle, he begged to call the attention of the committee to the act hitherto in force for regulating the granting of Annuities. It prescribed the rules under which parties might purchase Annuities, either on their own lives or on joint lives, or reversionary Annuities; but beyond that the act did not go. He intended to give to the commissioners for the reduction of the National Debt the power of granting Annuities for terms of years, either for a definite period or terminable upon the death of any individual as agreed upon. He was quite aware it was not likely there would be any very general disposition amongst people to purchase Annuities, by an immediate payment of money. Many were naturally averse to pay away a portion of their present means, in order to secure a subsequent provision. But, although he did not calculate on any very large purchases of annuities in this way, yet he was sure that many would be anxious to procure life or permanent Annuities, to commence after a term of years; and, as the act was intended to comprehend every possible variation or combination of life and permanent Annuities, it would be calculated to meet the wants of all who desired to secure a provision of this nature. He proposed to add another provision, which had not been in the former bill. Although many would not be likely to pay a sum of money at the present moment to purchase permanent, or perhaps not even life Annuities, yet it appeared to him that if a general power were given to the commissioners to receive annual payments to secure deferred or re-

versionary annuities, a large class of the public would be anxious to avail themselves of such a resource. Thus, all who chose to make such annual payments to the commissioners would have it in their power to secure this deferred annuity, to commence at whatever period they should think proper. By extending the principle in this manner, the public would be enabled to make a future provision, not by encroaching upon their capital, but by the exercise of thrift, by paying a portion of their annual income.—The next and most important point was to state briefly the nature of the alterations which it was proposed to make in the tables of calculations for these purposes. The House was aware, that the former acts had adopted the tables which had been long in use, and which were acted upon in most of the great insurance offices in London; he meant the Northampton tables. But those gentlemen who had been members of the Finance Committee, or indeed, any one who had turned his attention to the subject of Life Annuities, must know that those tables gave a less favourable representation of the duration of human life than the experience of the present day authorised.—He believed he might state this to be no recent discovery. For some time, from the calculations of the deaths which took place, and from the great profits derived by the insurance-offices, it had been generally felt and acknowledged, that those tables did not contain a fair estimate of the average length of life. It was supposed by some that the longevity of the human race had increased much of late years. Perhaps there might be some truth in this supposition. Perhaps, also, those who looked minutely and accurately into the mode in which the Northampton tables were formed, would see in it full reason to comprehend, why they were not perfectly accurate in their representation. It was notorious that they were formed in reference only to the deaths in one particular town, and that the persons upon whose deaths those calculations were made had been within the observation of the author only for a limited period. It was worthy of remark that, during the whole of that period, the deaths at Northampton exceeded the births, and that, notwithstanding that circumstance, at the expiration of the period, the population exceeded the amount of the population at its commencement. It was obvious, therefore, that in

taking the account of the deaths others were admitted besides those who were the objects of the calculation; for, in order to ascertain accurately the duration of human life, it was necessary to make the calculation upon the same persons from the commencement of a particular period down to the termination, without the admixture of other persons, who might enter into the community of a particular place at an advanced age, and who thus swelled the number of deaths.—However, without entering more minutely into the causes of the inaccuracy, it was sufficient that it had been established, to the satisfaction of the Finance Committee, that these tables were inaccurate. To correct this defect a calculation had been made, some time since, upon other data, which gave a different and a more satisfactory result. It had been judged necessary to form the estimate upon the lives within the united kingdom; for with whatever accuracy or ingenuity the subject might be treated in other countries, it did not follow that the mortality was the same in all; and as this plan was expressly to regulate British Annuities, it was necessary to form it upon British lives. It had been also judged expedient to take those who had purchased annuities of the government; because there was an accurate register of the ages of those parties, when they commenced the annuity, and there was a similar register of their deaths. Therefore there would be the advantage of having the same individuals in view, from the commencement of the period until the end. This would furnish as nearly accurate an account as possible. The basis to be taken for the calculation was the following:—Those who had been included in the Tontine which commenced in 1693, and ended, in 1782; those who received Exchequer Annuities in 1745, 1746, 1757, 1766, 1778, and 1779; the holders of Irish Tontine, in 1773, 1775, and 1778; and of the English Tontine in 1789. To these would be added the lives of those who had purchased Annuities, for the last twenty years, under the act which regulated Annuities for lives: The mass of lives on which the observations would be made would amount to about twenty-four thousand. When it was considered how small a number of persons were the subject of Dr. Price's observations, not more, he believed, than seven thousand or eight thousand, the House would perceive that the new

calculations could not fail to be more accurate. It was not a little extraordinary to observe how different were the results arising from the two modes of calculation. He would briefly state to the House his reasons for adopting the new calculations. According to the calculations of the Northampton tables, out of ten thousand lives which reached the age of forty, two hundred and eighty-four died before they reached the age of forty-one. But, calculating according to the same tables, he found that, out of ten thousand lives at the age of fifty years, one hundred and eighty-four died before they reached fifty-one years. By the new tables now to be proposed, out of ten thousand lives at the age of forty years, the deaths before they reached forty-one were calculated at one hundred and seventy-six; and of ten thousand lives, at the age of fifty, the deaths were one hundred and twenty-four before they reached fifty-one years. The difference was, in the one period, one hundred and eight in favour of longevity; and in the latter period the difference was sixty on the same side. These were the two periods of human life in which it would be most desirable to have exact tables, as it was at these periods that persons were most likely to make provision for themselves by Life Annuities. It was remarkable that, at the age of fifty years, and from that to fifty-one, lives were less likely to fall off than in the earlier period of forty to forty-one years. There was one other circumstance which he was desirous the committee should observe. It was the extraordinary difference between the longevity of men and women at those periods, when both were likely to apply for the purchase of Life Annuities. Of ten thousand women, aged forty years, only one hundred and twelve died before they reached the term of forty-one years; while the number of men dying under the same circumstances amounted to one hundred and eighty-four; and of women of the age of fifty only one hundred and twenty died before they reached fifty-one; while one hundred and sixty-six men died between the ages of fifty and fifty-one. It was a question, therefore, whether different tables should not be constructed for each sex. He thought it would be better to have separate tables, and this would be found to be the more necessary, when it was considered, that of the persons who purchase Annuities about that period, the number of women

was one hundred and sixty, while that of men was only fifty; and at later periods of life the disproportion was still greater: so that if the tables for both were the same, women would obtain Annuities on terms much more advantageous than men. It was right, then, under such circumstances, that separate tables should be made for each. But then the effect of separate tables for each sex, and for each kind of annuity according to the price of stocks, would be, that the tables would be too voluminous to be appended to the act.—It would not, however, be necessary so to append them. The act itself would not be constantly referred to by the purchasers of annuities. It was his intention, therefore, that the tables should be published in the London Gazette, and that afterwards copies should be kept by the commissioners for the reduction of the national debt, and also at the Treasury, where parties applying for the purchase of Annuities might ascertain at once the price, in stock or money, of the annuity they might require. By this means much of the cumbrous machinery at present in use would be got rid of.—So much for the extension of the principle of Life Annuities. He would now say a word as to another point. As the Finance Committee had recommended that the reduction of the national debt should proceed henceforward on a principle different from that which had been hitherto adopted, and as in a few days, he should have to introduce another measure for applying the surplus revenue, he intended to avoid the intervention of the commissioners of the national debt in the payment of the Annuities; so that when a party applied for an annuity to be paid for by the transfer of a certain quantity of stock, the stock so transferred would be cancelled, and the annuitant be paid out of the consolidated fund. In this manner, there would be a certain, gradual, and, as far as the Annuities went, a considerable reduction of the national debt. Besides, this mode of granting Annuities would afford a mode of making provision for lives on terms certain and advantageous to the individuals, and eventually beneficial to the public. The right hon. gentleman concluded by moving, “That the Commissioners for the Reduction of the National Debt be authorised to grant Annuities on such terms as shall be specified in the Tables, to be from time to time approved of by the Commissioners of His Majesty’s Treasury.”

Mr. Warburton said, that the new tables should be accessible to the public, in order that it might be seen whether they were calculated correctly. He did not think it was necessary to give the proposed tables to the extent at which Mr. Finlayson’s calculations went. It was only necessary to give calculations on the lives of different individuals, at some assumed price of stock. He repeated his hopes that the tables would not be kept locked up at the offices where they were proposed to be deposited, but would be printed for the public use.

Mr. Alderman Waithman also thought it necessary that the tables should be published, for the information of the House and the country. Before the tables now alluded to were completed, a person had been employed for ten years, at a salary of 500*l.* a-year, to complete a table of calculations, and during that time government had been acting in error. The Northampton tables were looked upon as correct in their time; but it should be recollected, that the introduction of vaccination had greatly altered the chances of mortality; so much so that government had been acting in error, and one Insurance Company had realised no less than sixty per cent in purchasing and re-selling Annuities. Government, however, although told that they were wrong, continued in their error for ten years, and at an expense of 5,000*l.* He knew not whether the same gentleman had been employed upon the present occasion, but he thought there was ground to doubt the correctness of the tables, and he hoped the right hon. gentleman would lose no time in laying them before the public, in order to enable them to judge for themselves. The statement of the right hon. gentleman was undoubtedly clear, but it would be more satisfactory to form an opinion upon an examination of the tables themselves.

The Chancellor of the Exchequer repeated, that if the tables were appended to the act it would be too voluminous; but he promised that a summary of them should be before the public.

Mr. Baring agreed in the utility of the proposed regulations, and also thought that an opportunity should be given to the public of inspecting the tables. He suggested that the tables should be printed for the inspection of members, and that the bill should be deferred till after

Easter. The calculations in general use were on a general average of life; but it should be considered that the parties who would in general apply to government for the purchase of annuities were picked lives.

The *Chancellor of the Exchequer* said, that that circumstance had not been lost sight of in the calculations.

Mr. Baring said, that if so, the principle of the alteration was a good one.

Mr. Hume wished to know whether the tables rested on the calculations of one individual, or had been checked by others, so as to have the better chance of avoiding error? He would suggest, that as government were now opening an Insurance Office against all others—and he did not object to the principle—the public should get the advantage of the Stamp-duty which those offices were obliged to pay. No doubt, if this advantage were given, most purchasers of Annuities would prefer having them from government, on account of its greater stability. With respect to the tables and calculations, if they were as large as Johnson's Dictionary he would have them printed: the advantage would more than counterbalance the expense.

Mr. Huskisson said, he was glad to see the proposed arrangement, because it would afford a great accommodation to a large class of the community, and on terms which would guard the public against the disadvantage of granting those Annuities at a loss. As his right hon. friend had intimated his intention of submitting a measure for the future application of the surplus revenue, he would suggest to him, that a saving might be made with respect to the Russian loan, made in 1814 and guaranteed by this government. That loan was in the progress of payment by a Sinking-fund; but there still remained 2,000,000*l.* of it undischarged. Five per cent was now paid for that loan, but he thought it would be advisable to apply our surplus revenue to discharging it all at once; or if there was not sufficient for that purpose, a loan might be raised for a part or the whole, if necessary. Government might easily obtain that sum at four or even three and a half per cent; and by this means we might save 20,000*l.* a-year, and get rid of the necessity of paying five per cent to foreign countries. The sum that might be thus saved, it was true was not much; but still it might as well be saved.

The *Chancellor of the Exchequer* said, that if he recollected right, the loan in question was made in virtue of a treaty to which two other powers were contracting parties, and that any alteration in it could not be made without consulting them.

Mr. Hume asked, whether a fair opportunity did not now present itself to ministers for getting rid of the Usury-laws? Those laws had long been an injury to public dealings, and the sense of the enlightened portion of the community was opposed to them.

The resolution was agreed to.

HOUSE OF LORDS.

Tuesday, February 24.

ROMAN CATHOLIC CLAIMS—PETITIONS FOR AND AGAINST.] The Earl of *Eldon* said, he had to present a Petition from the Clergy, Magistrates, and Inhabitants of Bristol, and of certain Parishes within ten miles of that City, praying that no further Concessions might be granted to the Roman Catholics. It was agreed to, and signed after the 6th of February, when the Speech from the Throne had been promulgated throughout the country. It bore the signatures of thirty-eight thousand persons.

The Duke of *Sussex* said, it was right their lordships should know how petitions of this nature came to be so very numerously signed. He objected to the wording of this petition, which purported to be the petition of "the" Clergy and Magistrates of Bristol. Now, it was not signed by the mayor, nor by several other of the magistrates; therefore it should be viewed merely as the petition of "the undersigned" magistrates, and he believed that such was the way in which it was originally framed. He begged also to observe, that though the petition was numerously signed, yet there had been a great deal of opposition to it. The noble earl had stated, that the petition had been signed after the 6th of February. Now it appeared that the requisition was signed on the 5th of February; and the subject had been agitated six weeks before. The noble earl had said, that it was signed by thirty-eight thousand persons. Now, according to the last census, the population of Bristol and its neighbourhood was eighty-seven thousand, seven hundred and seventy-nine; and the usual way of estimating the proportion of adults, was by making an equal division, which would

reduce the number to forty-four thousand. Now, if they took the same course with reference to the persons who had signed the petition, it would bring down the number to twenty-two thousand; and he had had the honour of presenting a petition from Bristol, in favour of the Catholic claims, signed by one thousand seven hundred persons. He did not mean to deny the assertion, that the majority of the inhabitants of Bristol were opposed to the claims of the Catholics; but when a great fuss was made about the number of names signed to this petition, their lordships ought to be made acquainted with the real facts. He had been informed that whole schools were sent up to sign this petition; that the utmost exertions were made to induce individuals of all descriptions to come forward; and that placards were exhibited of so extraordinary a nature, that he would not disgust the ears of their lordships by alluding more particularly to them. Some of those placards he had seen, and he understood that steps were taken to prosecute the printer and publisher of them. Besides, he was informed that several persons had over and over again signed the same petition; and he possessed, in his pocket, a letter from an individual who witnessed persons at the Guildhall, where there were three tables, going and signing their names at each table. He stated these facts, because it ought to be known how the names to this petition had been procured.

The Earl of *Eldon* said, the conduct he had pursued on this occasion was plain and direct. He had been waited on by a most respectable deputation, who requested him to present this petition. He understood from that deputation, that extreme pains had been taken to examine the persons who had signed the petition, and they assured him that it had been signed fairly and honestly. He understood it was at first intended that separate petitions should be presented from various parishes; but it was afterwards thought more desirable that the sentiments of the people of Bristol and its neighbourhood should be expressed in a general petition from Bristol and the parishes within ten miles of that city; and he believed that the present petition included all those parishes except five, which, he was informed, intended that individual petitions should be presented on their behalf.

Lord *De Dunstanville* presented a petition from one hundred and ninety-nine Protestant Dissenters at Penzance, praying for the removal of all civil disabilities on account of religious opinions.

The Earl of *Falmouth* said, he rose to lay before their lordships a petition from the same town and its vicinity, signed by upwards of three hundred and sixty persons, against granting any further concessions to the Catholics. This petition was not so numerously signed, as some which he had presented. The reason of this was, that the neighbourhood was filled with Dissenters, who were notoriously in favour of concession. His noble friend had yesterday observed, that a considerable portion of the landed property of Cornwall was in favour of the claims of the Catholics. Undoubtedly his noble friend was correct in that assertion; but it was his firm belief, that a very great majority of the landholders was against those claims. With respect to the middle class of persons, they were generally opposed to concession, and his noble friend could not deny that they would present an overwhelming majority against any such measure.

ASSOCIATIONS SUPPRESSION (IRELAND) BILL.] On the order of the day for the third reading of this bill,

The Duke of *Wellington* said, he had an amendment to propose in the bill, which had been suggested to him yesterday by his noble friend (lord *Redesdale*.) The amendment was to this effect—"Provided that nothing in this act shall be construed to authorize the suppression of any association assembled for lawful purposes, on the ground of any disturbance that may arise in consequence of the intrusion of persons not members thereof." This power of interference, on the part of the Lord-lieutenant, when he had reason to believe that men were assembled for political purposes under the screen of charitable or religious objects. For the exercise of the authority with which he was invested by this act, the Lord-lieutenant would be responsible to parliament, and it was therefore extremely desirable, that there should be nothing thrown in his way, to impede or cast a doubt upon the exercise of that authority.

Lord *Redesdale* said, that strong apprehensions existed in Ireland, that this act would be turned to a very different use

from that intended by the noble duke. The fact to which the proviso alluded, had already happened in Ireland. Instances had been known, where Roman Catholic priests had created disturbances in meetings assembled for religious purposes; and it was to provide against such attempts, that he had suggested the amendment. It was a fact, that those to whom the amendment more particularly pointed, had been already known to declare their determination to proceed in the manner he had described, under the authority of this act.

The Marquis of Anglesey said:—My lords, if I thought that any observation which may fall from me could have the effect of throwing impediments in the way of his majesty's ministers, whilst they are engaged in carrying into effect, measures that have been so graciously recommended from the throne, or that I should by possibility impede a measure incomparably the most important, and likely to be the most beneficial, to the whole empire, of any that has yet been offered to the consideration of parliament, I would not permit myself to break silence; but, being certain that this cannot be the case,—that, on the contrary, if my advice be attended to, it will facilitate and expedite this most desirable object, I shall venture to make a few remarks upon the present bill. My lords, you are about to confer a great boon on the people of Ireland. I wish it to be without a drawback. You are about to perform an act of grace; let me implore your lordships not to allow this act of grace to be accompanied, or, I should rather say, preceded, by an ungracious act. My lords, this bill is an ungracious act: it appears to be nothing less than a gratuitous insult. My lords, it is useless and nugatory: it is a work of pure supererogation: it is an enactment against a thing which has no existence. The Catholic Association is defunct. It extinguished itself upon the prospect of brighter days. What gave birth to the Catholic Association? Harsh, unjust, oppressive, and offensive laws. Remove a cause, and the effect necessarily ceases; repeal the grievous penal enactments, and the Association is annihilated: it cannot revive, it would have no soil on which to vegetate. As far, then, as the Association is concerned, the law will be utterly useless. Let us now consider it as it will affect other societies. What generated the Brunswick clubs? There is not a noble Brunswicker present

who will not at once say, the Catholic Association. They professed to establish themselves in opposition to the Catholic Association, and for the purpose of supporting the government. My lords, I give full credit to the Brunswickers for the loyalty of their intentions; but I, for one, having been at the head of the Irish government when they were formed, beg leave to say, that I could not give them my thanks for their efforts, for I felt that I had ample power, and had no occasion whatever for their assistance. On the contrary, I only felt that I had an additional nuisance to control. But, my lords, as these clubs grew out of the Association, so they will perish with its dissolution. Therefore, this bill is useless. And now let me say one word—one parting word—concerning the Association. That body was composed of men of the first genius and abilities of Ireland. Amongst them were many ardent, violent, speculative spirits, all writhing under galling wrongs. They have been violent, irritating, offensive, insulting—frequently dealing in unjustifiable personalities. But, had it not one redeeming quality? I say it had, and that so important a one, that it may be considered as an equivalent—a set-off, against all its vices and errors. Is not the bill of relief, which we are all expecting with so much anxiety, one that is likely to produce effects the most beneficial, not only to Ireland, but to the empire generally? I affirm that it is, and I have no doubt, that a large majority of your lordships will concur with me in this opinion. And who or what, I would ask, has mainly contributed to this important object? I say, the Catholic Association. Let me implore your lordships, then, to set aside this bill, and pass at once and rapidly to the measure of relief. Grant generously, but above all, grant confidently, and I will venture to assert, that you will reap an ample harvest for your magnanimity.

The Earl of Longford could not sit silent and hear such praise bestowed on the Catholic Association, and more than censure cast upon the Brunswick clubs, which he would maintain had been honestly and solely defensive. That was the principle on which the Brunswick clubs had been formed; and it was a true, honest, fair, and constitutional principle. From that principle they had never departed; but had always conducted themselves as became loyal men and good subjects.

What, however, was the case with regard to the Catholic Association? It had been formed, like other joint-stock companies, to injure the interests of the country. Other joint-stock companies had almost ruined the finances of the country, and this joint-stock company of faction, sedition, disaffection and treason, had almost ruined the country by its proceedings. It commenced by a decided opposition to the government, and that opposition it continued to the last. Much of the necessity for the present bill, and much of the conduct of the Association, might be attributed, however, to the last two administrations, who had suffered the bill of 1825, to lie idle and inoperative. The attorney-general of Ireland, who advocated its passing into a law with so much eloquence and ability, if he found that bill insufficient for his purpose, ought to have applied to the legislature for additional powers, and the necessity of the present measure would never have arisen. Above all things it appeared to him remarkable, that from that very Association members should have been picked out for the purpose of administering the law of the land; for it was a matter of notoriety that, in two instances, members of the Catholic Association had been put upon the roll as justices of the peace. This way of shewing favour and countenance to those who formed a portion of that body, was the very means of encouraging the body itself to persevere; and still further, when he heard such a system applauded by noble lords, who had a seat in that House, he could not keep his seat quietly, or permit such observations to pass by without a remark; convinced as he was, that no government could exist, so long as such an assembly was permitted to meet, and to exercise functions which were the right of a legitimate government alone.

Viscount *Goderich* said, he had no desire to interpose the smallest difficulty in the way of passing the present bill, though he was by no means convinced that it was a measure of indispensable necessity, and still less one of triumph to either party. The provisions of the new act certainly appeared to him to be severe enough; and if its duration had not been extremely limited, he thought it would have been impossible to have acceded to the measure. With respect to the Catholic Association, he had no wish to pass any severe censure on that body; neither did he wish to

express any favourable opinion of their conduct. He considered the Association to be, as his majesty's Speech had described it, an Association incompatible with the principles of the constitution. That Association was a dangerous body, not simply on account of any thing it did itself, but on account of what it prevented others from doing; for he could not conceive a more striking evidence of its power, than the circumstance that it was able to enrol in its bands all ranks and grades of society, and to embrace the whole of the community of Ireland. Its power was so extensive, that it was able to spread itself in every direction, and to carry weight with it wherever it went: it not only had the power of raising the storm, but it rode on the whirlwind, and directed it in its course. This certainly was a state of things much to be deplored, and still more to be feared; but though he said this, was he not bound to look at the circumstances that had created the Catholic Association; and could he attribute its formation to any thing but the existence of a monstrous and permanent grievance—a grievance that came home to the bosoms of all who had joined it, and one which must be put down by a just and salutary measure, or which could not be put down at all? If that Association were not put down, no doubt, evils of a multiplied nature would arise; but, put down or not, it was clear there was a sore place, which could never be healed until the grievance which occasioned it was removed. If that grievance were not removed, where was the boasted British constitution. That grievance, which might be denominated the just cause of millions in Ireland, would be certain to occasion, from time to time, explosions of popular discontent. There had been a law relative to such meetings, which time had proved to be ineffectual. They, of course, were now driven to a measure of rigour: if they were to be compelled to adopt one measure of rigour after another to meet evils of this nature, which were sure to recur as long as their cause existed, what was to become of the boasted British constitution? That constitution was said to be the admiration and envy of the world. But, if one third of the people of this powerful, if united, empire were to be lopped off from the strength of the whole by measures of continued and increasing rigour, who, he would ask, would then admire—who would envy, our condition as a nation? Who, in

this state of affairs, would fear this country as a political rival or enemy? We should feel the evil most of all in our relations with foreign powers; for, doubtless, fear was, in a political point of view, a very salutary principle. Indeed, that salutary principle could not fail to produce proportionate effects at home; and whilst other nations felt we were rendered weak by having our right arm knocked off, we ourselves could not but feel how much weaker we were rendered by the loss. He gave full credit to the opposers of this measure, for rectitude of intention; but he could not help expressing his conviction, that should they prevail in their opposition, it would be productive of national calamity.

Lord *Ellenborough* said, that nothing but the conscientious conviction of the necessity of passing a bill of this nature would have induced ministers to propose such a measure to parliament. The constant object of the government was to establish and perpetuate in Ireland the Protestant ascendancy. It was true that the bill before their lordships was introduced for the purpose of putting down the Catholic Association; but he was also free to confess, that this measure alone was not sufficient to effect that object. Another measure was, therefore, to be introduced conjointly with the present; but he thought the dignity of parliament required that the measure of coercion with respect to the Association, should precede the measure of concession to the Catholics. No government, however strong, could, in his opinion, preserve the peace of Ireland without concession. At all times he should have said as much; but seeing the state in which that country now was, he felt the truth of the observation more strongly than ever.

Lord *Melbourne* denied that the Irish government had done wrong in not applying for more power. As to the charge brought against the late attorney-general for Ireland, of not having effectually exerted himself against the Catholic Association, it was extremely ill-founded; at all events, it was one which applied as little to him as to the other members of his majesty's government. The noble and learned lord opposite, who was, during the time in question, the immediate adviser of the Crown on all legal matters, bore at least as much of the responsibility of what was then done, or omitted to be done, as

could by possibility fall upon the head of the attorney-general for Ireland. The measure enacted in 1825 was not calculated to be effective; nor was it attempted to be carried into execution, with even that degree of vigour of which it was susceptible. Much had been said respecting the appointment of magistrates in Ireland who were members of the Association; but it was a great error to suppose that the Irish lord chancellor was solely responsible for those appointments; for, though the lord chancellor had the appointments nominally, it was well known that, on all appointments, he consulted the other members of the Irish government, and with them jointly was to be considered responsible; and then, when it was recollected how numerous the Association was, it could not be contended, that the members of that body were to be excluded from the commission of the peace, unless, indeed, Catholics generally were to be proscribed. The fact was, the law of 1825 was inefficiently acted on, because of the existence of disabilities; nor did he believe that any measure could be adopted for the suppression of the Association, unless accompanied by one of grace, or rather, as he should say, by one of justice; for, let the Association be put down in what form it might, the spirit which generated it would break out elsewhere. To the present bill he was ready to give his assent, on the understanding that a measure would be introduced for the general relief of his majesty's Roman Catholic subjects.

The Earl of *Mansfield* said that this was the first of a series of measures of the highest importance. He would not stop to inquire whether they arose from a state of disturbance, or whether the opportunity of such a calm as had not occurred for twenty years was taken advantage of to carry a measure which many of the friends of the constitution conceived to be subversive of its best principles. As to the Catholic Association he had not the slightest difficulty in agreeing to any measure that would have the effect of suppressing that body; if the powers possessed by his majesty's government were not sufficient for that purpose he would say, let them be augmented. Societies like the Catholic Association he considered dangerous at all times, and in all countries; but so formidable a body as that he believed had never existed under any circumstances. It was formidable from its

numbers, from the boldness of its proceedings, from the concert with which its measures were carried forward, and from the religious zeal which animated its members; added to which was the effect of that uniform success which attended every step it took. While such an Association existed he would never refuse his assent to any measures necessary for its suppression; but, in his opinion, measures of this extraordinary nature should not be resorted to, until all the means which the statute and common law furnished had been previously tried; and, finally, if such unconstitutional measures became necessary they should be limited in their duration to the strict necessity of the case. There were some noble lords who would not consent to the present measure, unless it was accompanied by concessions, considering that, without those concessions the bill would be perfectly inoperative. There were some, too, who would not agree, under any circumstances, to the restriction of the Roman Catholics; who conceived they had been deprived of their just privileges, and ought to have unbounded license in asserting them. It was, perhaps, needless for him to say that he agreed with neither of those classes. In his opinion, those who admitted the right of the Catholics to further political power took much more tenable grounds than those who, denying the right, were willing to grant concessions, on considerations of improved expediency. Amongst many reasons why he would oppose the present measure one was, that no proof had been afforded the House that all those measures had been resorted to which the existing statute and common law admitted of. When the House bore in mind the vast change which had taken place in the sentiments of a right hon. gentleman, the organ of his majesty's government in the other House, they could scarcely doubt that his sentiments, so changed, must have had some influence on the views which he took of the practicability of suppressing the Association. It was also worthy of observation, that for some months past their violence had been decidedly on the increase, as if they had penetrated the secret of his opinions. It was perfectly natural that that right hon. gentleman, having made up his mind to grant the required concessions, should become more disposed to lenity than, under other circumstances, he would have deem-

ed either right or expedient. When they considered also the freedom of opinion allowed to all persons in the employ of government, it was a matter of course to be expected that the representations they made to the home secretary, on the subject of Roman Catholic proceedings, would depict matters as those individuals wished them to be rather than as they actually were. There were no means of knowing how far the efforts of the Lord-lieutenant might have been secretly counteracted, or how far the legal advice he received was dictated by a sincere desire to uphold existing institutions. He did not make these observations so much against the bill as against the late system of the Irish government. Their lordships could not have failed to observe, that the Catholic Association had, for some time past, been spoken of as though it were perfectly irresistible. The listlessness of the government had imparted to it consequence, and long impunity had given it strength. It might be necessary to introduce a bill for the suppression of the Association; but, until more satisfactory proof of that necessity had been offered, he would take the liberty to entertain doubts of it. However if such a bill was necessary, the fact of the Association having dissolved itself did not in any respect destroy or remove that necessity; because they had no certainty that it would not re-unite itself again, for the Roman Catholics hesitated not to declare that, when what they called emancipation had been obtained, they would pursue ulterior objects. On these grounds then, as well as on others that he forbore more particularly to detail, he would pledge himself to no concessions; at the same time, he would not be reluctant, when the subject of securities was brought under the consideration of parliament, to entertain the question, although at the same time he despaired of any securities being devised which could satisfy the genuine adherents of the constitution. The Treaty of Limerick, which had been so often referred to, as conferring upon Papists the right of admission to parliament, was, in his mind, the most futile objection to the existing laws that ever was urged.—He begged their lordships to understand that the observations he had made were intended to be perfectly general: he said nothing of details; and he still entertained a confident hope, that the constitution would be allowed to remain unimpaired.

For himself, his opinions were unaltered; and, notwithstanding the force of recent example, his vote would be in unison with those opinions. He had, in common with many others, been advised not to adhere to those opinions too rigidly, but to place unlimited confidence in the wisdom and prudence of the noble duke at the head of the administration. If that confidence were to be reposed in the good fortune which attached personally to that distinguished individual he would most freely give it; but, on political measures, he could not conscientiously disregard the humble lights of his own judgment. These led him to the conviction, that the proposed measures would be attended with the most fatal consequences to the country; for it could never be allowed to pass without the abandonment of those principles which he had always held to be essential to the British constitution.

The Duke of *Wellington* said, that having already troubled their lordships once that evening with an expression of his sentiments on this subject, he would not now detain the House for any length of time, more particularly in adverting to a measure not at present before parliament, but which he should have the honour hereafter to submit to its consideration. He could assure the noble lords that when that measure should be brought forward, they would find it brought forward in a manner by his majesty's minister, and so complete in itself, as to be calculated to attain its objects, without any of the drawbacks or impediments to its operation which his noble friend had adverted to. He now rose principally for the purpose of assuring the noble lord, that he was much mistaken if he supposed that serious efforts had not been made by his majesty's government, in the course of last year, to put an end to the Association of which the noble lord and every body else complained. Cases had been submitted not only to the crown lawyers in Ireland, but to the legal advisers of the government in this country, with a view to ascertain whether any steps could be taken under the existing law, the Convention act, or the common-law of the land, to put down the Association; and the result of the opinions of the law officers was, to produce a conviction on the minds of his majesty's servants, that it would not be judicious to make any attempt to proceed against the Association. Under the circumstances of the case,

ministers had no alternative, but to come down to parliament, and ask it to invest his majesty with new powers, to enable him to suppress this body. In the course of the address which he had made to their lordships, on the occasion of moving the second reading of the bill, he had stated the circumstances attending the measure adopted for the suppression of the Catholic Association in 1825, and had also mentioned the causes of its failure, which arose, not only from the deficiency of the law, but from the division subsisting in the government and the parliament on this subject, and the difference of opinion existing between this and the other House of parliament on all questions relating to the claims of the Catholics. These divisions, which, in his opinion, had more than any thing else occasioned the existence of the Catholic Association, and contributed to the growth of the evil complained of in that country,—an evil which eventually placed ministers under the necessity of considering the whole state of Ireland, and of recommending the adoption of measures necessary to bring it to what he might call a state of civilized society. The opportunity for effecting this object could scarcely have occurred under more favourable circumstances. Nothing at home in the shape of rebellion—nothing abroad in the nature of foreign war that afforded the slightest ground for apprehension—nothing in the common course of events that could prove an objection to legislating on the subject of Catholic disabilities. It was impossible that Ireland could any longer remain in her present condition. It was his honest conviction, that the evils which afflicted that country could not be remedied by any other measures than those which his majesty's ministers adopted; namely, a full consideration, by parliament, of the whole state of Ireland, including the laws which affected the Roman Catholics. These reasons induced him and the other members of his majesty's government to recommend a review of those laws, for the purpose of a general consideration of the state of Ireland. These reasons had induced him and others of his majesty's ministers to act as they had done, and had influenced them in the recommendation they had submitted to his majesty previous to the meeting of parliament on this subject, which recommendation his majesty had been graciously pleased to adopt; and

accordingly the subject was introduced in the Speech from the throne.

Lord *Calthorpe* said, it had been observed, that the Catholic Association was the offspring of the resistance that had been offered to the Catholic claims, and he did not deny that fact; but that was only a part of the truth. The strength of the Association was derived from the circumstance of the resistance to the Catholic claims being not only considered by themselves as a grievance, but by a considerable portion of the legislature. With respect to the present bill, he felt sorry, considering the ungracious aspect it assumed, that ministers had had recourse to it. He could not but regret, that many petitions presented on this subject had been brought forward in such a way, as if it were the intention to overawe parliament in its decision upon it. Though he would not wish to obstruct the expression of public opinion, yet, considering the nature of this question, and the peculiar opportunities which parliament possessed for considering it, and the number of persons, of every different shade of political sentiment, who had there concurred in supporting it, he thought the subject one of all others the best fitted for parliament to come to a decision upon. He had as little doubt that the decision would be favourable, and that when once come to, it would be received with universal acquiescence.

Lord *Redesdale* thought it his duty to oppose the bill. He could never bring himself to acknowledge that the common-law of the land was insufficient for the suppression of the Catholic Association. He was convinced that it was; provided that law were duly administered. He did not mean to say that difficulties might not have arisen in the execution of the law: but the question had never been fairly tried. He did not impute the neglect of trying that question to the present administration, but to the series of administrations, to whom the affairs of Ireland had been intrusted. As a lawyer he was most decidedly of opinion, that no new statutes were required for the suppression of the Association; and he could not assent to any bill which would put upon record the opinion of the House, that the existing statutes were insufficient for the putting down of a dangerous Association. An assertion so untrue in law he could never agree to put upon the records of parliament; and he should be grossly wanting

in the duty which he owed to the country, if he did not enter his protest upon the Journals, embodying what he had just stated, as a reason for voting against the bill. Whatever might be done in the way of relief for the Roman Catholics, of this he felt fully assured, that nothing like peace or concord could be established in Ireland, unless an efficient control was established over the Roman Catholic priesthood; of whom the people were nothing more than the mere tools. If the noble duke at the head of his majesty's government had not matured some plan for the coercion of that priesthood, he might be assured that his measures would most grievously fail of their object, and the country be in a worse condition than before. It was the priests who collected the rents—the priests who got up the petitions—the priests who decided the elections; and the House might rest assured, that if their power was not restrained, they might bid adieu to every thing like concord and happiness in Ireland. The vice of Ireland was the influence of the Roman Catholic priesthood, and no concessions would produce any beneficial effect, if that influence was not controlled. As to the Catholic Association, it might be put down by this bill; but if it should be for the interest of the priests, no doubt it would be set up again. He objected to the bill now before the House as a mischievous precedent, calculated to lead to the idea that such an association as the Catholic Association could not be put down by the common-law of the country. He believed many of the well-disposed Catholics were most anxious that the Association should have been put down; but the fact was that no attempt had been made to put down the Association by means of the common-law. This neglect was attributable, he admitted, not to the members of the present but of by-gone administrations; and he thought they were called upon to state why they had allowed the laws of the land to remain a dead letter, while such an Association was in existence. The common-law should have been resorted to instead of the bill of 1825, which, to say the least of it, was a foolish bill, and the Catholic Association told the government that it was a foolish bill. If they wished to evade the present bill he feared it would be found equally ineffective.

The Earl of *Eldon* said, he would take an early opportunity of satisfying every

body that it was not his fault that, while he was chancellor, the common law of the land had not been resorted to, for the purpose of putting down the Catholic Association. He would postpone the proof to another occasion, as a noble lord, whom he could wish to see present when he introduced the subject, was not then in his place.

The bill was read a third time and passed.

HOUSE OF COMMONS.

Tuesday, February 24.

ROMAN CATHOLIC CLAIMS—PETITIONS FOR AND AGAINST.] Sir *R. Vy-ryan* said, he rose to present several Petitions from various parishes and districts in the county of Cornwall, praying that no further Concessions might be granted to the Roman Catholics. They were numerous and respectfully signed. All the principal individuals resident in the parishes and districts from whence they came had put their names to the petitions, and he believed he might safely say that they spoke the feeling of the people, among whom they had been circulated, on the great question which was about to be brought forward. Although this question had been much discussed in many parts of the kingdom, he did not think that it had any where met with that serious and sober consideration, which had been bestowed upon it in Cornwall. The labours of Wesley and others had made the people of Cornwall not only a religious but a thinking people. They had been told by their religious instructors, that in order to become free citizens of a free state, in which laws like those of England were to be appreciated and upheld, they must be so educated as to be able to reflect; and that to entertain opinions merely from prejudice, or from ignorance, was incompatible with freedom in a state. He was aware that, from the religious feeling which prevailed so strongly in Cornwall, there was little ground to believe that the people would consider this question solely as a political question; but then they did not take up the reasons of common arguers, or talk about the days of bloody queen Mary. They were actuated by a just desire that the constitution should be preserved in the same state in which it had been settled at the Revolution in 1688;

they wished, too, that the blessings of civil and religious liberty should be extended to all, and that no sect of Christians should be prevented from worshipping God, in whatever way their consciences might direct; but the majority of the inhabitants of the country were, at the same time, convinced that it would be extremely unsafe, both to civil and religious liberty, to confer political power on a body of persons who acknowledged a power on earth superior to the king—a power, between heaven and earth, greater than that of the government of the country in which they lived, as appointed by the constitution of that country. the petitioners amounted in number to between 8,000, and 9,000, and they represented a considerable portion of the wealth and intelligence of the county. Of the clergy of Cornwall, he might safely say, that few of them had entered upon this subject otherwise than as one which involved the civil liberty of the country, as well as the rights and safety of the church. For his own part, he perfectly concurred with the petitioners. It was not his wish to detain the House then: he was aware that this was a subject of extreme delicacy, and he was the last man who would be inclined to agitate the country, or tempt the people to think of failing in their allegiance to the king. He deprecated all language tending to such ends. He hoped the question would be calmly and temperately discussed, and that the people of England would consider the decision of parliament as supreme. He wished to advert to a doctrine which had been held upon this point. It had been said by Mr. Locke and other casuists, that, “if the government should break in upon what was called the fundamental constitution of the country, there existed in the people an inherent right to impugn the conduct of the parliament, and that the duty of obedience would not, in such a case, be binding upon the people.” Now, he conceived that no more dangerous doctrine than this could be maintained in any civilized country, and that it must not only tend to produce perpetually risings and insurrections, but at length to convert the whole country into one scene of bloodshed and desolation. The arguments which had been used to show that a compliance by his majesty with the claims of the Roman Catholics would weaken his title to the throne was equally destitute of foundation. The constitution of 1688 was

not the work of a king, lords, and commons, for there was no king at the time that the declaration of Rights was agreed to. The throne was vacant; the reigning king had fled; his son was declared incapable of succeeding; and the people of this country appointed another to be their sovereign in his place. He therefore deprecated the language which had been used upon this subject; but, although he would not admit that his majesty's title to the throne could be at all weakened by giving his assent to a bill for the admission of Catholics to political power, he earnestly recommended the parliament to pause before they made any change in the constitution of 1688.—

Whilst he was upon this subject he would refer to a doctrine which had not been broached in the House, but which was so unconstitutional that no man who possessed any correct notions of liberty could sit silent without giving an answer to it. It was said that the constitution of 1688 was not the primitive and principal constitution of the country, but that the constitution consisted in the subjects all obeying the king and assisting each other. But he would ask, was this the doctrine which the country had a right to expect from the descendants of those men who had expelled one family from the throne, and practically asserted, that the doctrine of divine right and passive obedience was a monstrous violation of the principles of national liberty and common sense? He would now pass to another point. He felt obliged to declare, that what he had seen within a very short period had shaken his confidence in the integrity of public men. He should not make any allusion to individuals; but when he saw several persons all at once—and, as had been well observed by a right hon. gentleman—miraculously change their opinions upon the subject, and go over to the profession of doctrines which were opposed to all their previous principles, and that without any ostensible reasons for doing so, he felt it impossible to reconcile such conduct with any idea of consistency. With regard to the question itself, its position had been very peculiar. With the Whigs it had been made a party question; with the government it had not been made a party question: so that the persons who were opposed to the concession of political power to the Roman Catholics had never stood upon equal ground with their opponents. If it should be said, that it was

impossible to carry on the administration of the country without conceding the Catholic claims, he should give a direct negative to such a proposition; for, after all, it was not very difficult to carry on a government of which the principle was—"Sic volo—sic jubeo—stat proratione voluntas." He thought that certainly some one great man was necessary to guide the government, but that it was not at all necessary to have commanding spirits in all the inferior departments of administration. He had a great respect for the duke of Wellington, as the greatest commander of modern times; but he could not in such a case place implicit confidence in him. He should not now say any thing of securities. He stood upon the general principle, and he could not consent that, in order to avoid the contingency of what was falsely called a civil war, but what would be in fact a rebellion, they should sacrifice the bulwarks of the constitution which had been established in 1688.—There was one view of this question to which he wished most particularly to advert. He firmly believed that there was a great conspiracy in existence—a conspiracy formed by certain despotic individuals—not in England, for he did not think there were to be found in England persons capable of joining in such schemes—but by certain despots abroad. He was convinced that a great conspiracy was now on foot and in progress in Europe. This conspiracy was planned at the Congress of Vienna; it was pursued at Laybach; afterwards recognized at Verona; and, finally, in the very capital of France. The connexion of the Jesuits with the late minister of France was quite notorious; and since that time they had been actively engaged in prosecuting the plans which were then interrupted. The head of this conspiracy was the conclave at Rome, and the servants who were to carry the plan into effect were the Jesuits. The object was, that the Jesuits, assisted by the monarchs of Europe, should restore the Roman Catholic religion, not to its former purity, but to its pristine supremacy. When they knew that such a conspiracy was on foot, that the Jesuits were the prime movers of it, and that the Jesuits had been connected with the late ministry in France,—than which a more time-serving ministry never existed—would it be said, that they were to look at the question of Catholic emancipation in the narrow view in which

it was usually presented to them? He was sorry to trespass so long upon the House, but, seeing that the question had been hitherto discussed without any reference to the great politico-religious corporation of Rome, he should like to hear what was to be said on that subject by the gentlemen who were now the advocates of concession, and why, at the present moment, Jesuits were engaged, in England, in the education of the youth, who, if the proposed measure should be enacted, would become members of both Houses of parliament. If no other member should introduce a specific motion upon the subject, he certainly should. He was a friend to civil and religious liberty; but he believed that the measure of emancipation was the commencement of changes of which no one could see the end, and which would produce the most important changes in the constitution of parliament, and place the men who voted in favour of the measure in such a situation as would hereafter deprive them of the power of voting at all.

Mr. Pendarvis said, he thought it would be expected that he should make some observations on what had fallen from his hon. colleague, with respect to the sentiments entertained by his constituents in Cornwall. He could not agree with his hon. colleague, that the prevalence of their opinions against the Catholic claims was so strong as his hon. colleague had represented them to be. On the contrary, it was his firm conviction, that the intelligence and property of the county were directly in favour of those claims. What proof had been brought to disturb this conviction? Why, a few petitions got up at district meetings, and others brought about by the clergy, and other active individuals who were opposed to the Catholic claims. They had been told that nine thousand signatures were attached to these petitions. Be it so; and what was the fair inference, when they were told that the population of the county amounted to two hundred and fifty thousand? If the feeling had been so strong as his hon. colleague had represented it, why had there been no county meeting called? He thought that, in the absence of such a meeting, and in the small proportion which the petitioners bore to the whole population of the county there was abundant proof that the majority of the county were willing to leave the question to be

settled as parliament should think fit. Instead of a county meeting, the promoters of the petitions adroitly fixed upon four simultaneous meetings and they gave very little notice to their opponents. On the 7th of January, meetings were held at Launceston, Bodmin, Helstone, and Penzance. In one place, gentlemen who resided in the same hundred, though in different districts of the hundred, were not allowed to take any part in the proceedings. In another place there were three hundred persons present, and the petition was carried only by a majority of five to four. At Helstone, the meeting was under the patronage of his hon. colleague. It was held in the Dissenters' chapel, and he knew that there were two magistrates there unfavourable to the petition, though, perhaps, out of delicacy to his hon. colleague, they did not attend. At Penzance, only one day's notice of the meeting was given, and the mayor positively refused to put the petition to the vote, because he knew there was a majority against it. At Launceston, the meeting was exclusive: those only were summoned who were known to be opposed to the Catholic claims, and many of his friends who went to it were told that it was not a meeting called for the purpose of discussion. At Truro the meeting was under the direction of a noble lord who possessed great influence in the neighbourhood, and the day fixed upon for the meeting was that of the opening of the sessions at Bodmin, at which all the magistrates and professional men of Truro were obliged to attend, so that little opposition to the petition could be expected. Another meeting was advertised for the following Tuesday, at which there were present one farmer, two clergymen, the vicar, and his curate. After waiting for some time, and no one else coming, the two clergymen signed the petition, and went away. Another meeting was held at another place, at which there were present only four persons. Now what could be thought of the unanimity of the people of Cornwall, on this subject? There was doubtless unanimity between the two clergymen, but there was nothing of the sort generally. So much for the public meetings in Cornwall, at which petitions against the Catholics had been voted. He had now a few words to say upon the mode in which signatures to those petitions had been obtained. At Bodmin, while the sessions were holding,

the bell-man was sent round the town to call the people to sign the anti-Catholic petition; and he had no doubt that every person of the county, who happened to be then in the town, and who was opposed to the Catholic claims, signed the Bodmin petition. Another mode was the diffusion of inflammatory pamphlets, one of which, the most infamous and disgraceful he had ever seen, he then held in his hand. It was called "Look about you;" and at the head of it was a picture representing the Catholics of Ireland burning a number of Protestants. At Truro, the table at which the petitions were signed was covered with these pamphlets. Pictures professing to represent scenes in queen Mary's days—the burning and torturing of Protestants by the Catholics—were also put into the hands of the people. These pictures were furnished, he understood, by the Religious Tract Society in Pater-noster-row, and by them sent into the country. These pictures, together with lord Winchelsea's letter were distributed about at Launceston. There was one circumstance connected with the mode of procuring signatures to these petitions, which he had under the hand of a magistrate, and which was so remarkable, that he would read it;—"To give you an idea how eagerly signatures have been caught at, I will mention a circumstance which came within my own knowledge. Two men were brought before me for turnip-stealing, which they had been doing on a large scale, and were convicted on the clearest evidence. The case was heard in the attorney's office who acts as the clerk to the magistrates of this division, by whom the anti-Catholic petition was prepared; and these two men were solicited, and actually, signed the petition immediately after their conviction." In addition to these modes of procuring signatures, the clergymen went about from house to house, coaxing, threatening, and frightening the people to sign, and, in the neighbourhood of Penzance, this duty was put upon the churchwardens, who were sent round to the different parishes to procure signatures. He thought he had mentioned enough to prove to the House that the signatures to these petitions were not likely to have been very properly obtained; but, taking them as they were, let it be recollected that, for six weeks, these meetings had been called in various parts of the county, and that, in all that time, signatures to the amount only of

nine thousand had been obtained out of a population of two hundred and fifty thousand. His opinion was, that if the people of Cornwall were not excited by fanatical preachers, or by inflammatory books and pictures, they would be very well satisfied to leave the settlement of this question to parliament. It was very seldom that he troubled the House; but he had felt himself called upon to make this statement, in justice to his constituents. He could not sit down without expressing his sincere thanks to his majesty's government, and more particularly to the right hon. Secretary for the Home Department, for the course which they had adopted in regard to the Catholic question. He was sure that the settlement of that question was the only thing that would quiet Ireland; and he doubted not that the right hon. gentleman would fulfil his pledge of accompanying the proposed measure with such securities as would calm the apprehensions of the Protestants, while, at the same time, they would not disappoint the hopes of every reasonable Catholic.

Mr. *Buller* was of opinion, that in Cornwall, as in every other county, whatever might be the numerical majority, there was a decided majority of the talent and information of the population in favour of the Catholic claims. The hon. baronet, and other persons, had made every effort to raise the No Popery cry in Cornwall, but had been completely baffled. He gave him perfect credit for sincerity, but he was convinced that the hon. baronet was mistaken in his facts. So far was the Catholic cause from having retrograded in this country, that for several years it had been steadily advancing. On one point he was quite ready to make a compromise with the hon. baronet. If the hon. baronet would assist him in letting the higher orders of the Catholics into parliament, he would assist the hon. baronet in abolishing the forty-shilling freeholders in Ireland.

Mr. *Huskisson* observed, that no gentleman could have witnessed the talent and ability displayed by the hon. baronet, the member for Cornwall, without feeling that he had gone far in his own person to prove the truth of one observation which he had made; namely, that there were persons who entertained opinions adverse to concession to the Roman Catholics fully competent to fill any situation which the service of the Crown might demand. But, while he was willing to pay this tribute of

admiration to the hon. baronet's talents, he rose now for the purpose of addressing himself to the last topic of his speech. The hon. baronet seemed to consider this all-engrossing question, which, for the last three or four years, had drawn off public attention from almost every other question, as not to be measured with reference to the interests of Ireland, or the interests of England, but that its connexion with those interests formed the smallest part of the great consideration. The hon. baronet seemed to look at this question as one of general policy. He viewed it as a European question. He seemed to think that this attempt to restore to the Catholics those rights of which they had been deprived for a considerable time, was nothing more or less than part of an extensive conspiracy, of which the centre existed at Rome. The hon. baronet stated, that ever since the congress of Vienna this formidable conspiracy had been in full and active operation. It was perfectly true, that, in the view taken by the hon. baronet, the congress of Vienna might be said to be the seat and great focus of this conspiracy. Now, one part of the proceedings of that congress, which he admired most, was that in which it was laid down as a principle of European policy, that there ought to be no distinction among any of the subjects of the powers of Europe on account of religious opinions. That principle was laid down by the act of the congress, and had been carried into effect in all parts of the continent. It had been applied all over Germany; and for some years past had been acted upon in that territory which recognized the authority of the same sovereign, who, in the beneficence of his wisdom, had recommended the Catholic claims to his parliament. The hon. baronet had said that this conspiracy originated at the congress of Vienna, and was followed up at the congresses of Laybach and Verona, and at all the succeeding meetings of the great powers of Europe. If the hon. member had confined himself to the statement, that there might be powerful ministers and servants of some of the great sovereigns of Europe who were not friendly to the civil liberties of mankind, if he had confined himself to say, that there were among those ministers some who viewed with jealousy and apprehension the progress of information, and the advancement of knowledge, and the consummation of any thing which led to the

improvement of the institutions of other countries, he might have agreed with that statement. But when the hon. baronet stated, that these men were the parties who were engaged in a conspiracy to restore to the Catholics of Ireland those privileges of which they had been so long deprived, he must beg leave entirely to dissent from the hon. baronet. As far as his knowledge and observation went, he could state most unequivocally, that that party in France, which the hon. baronet represented as friendly to the Jesuits, whom he considered to have lately sustained a defeat in that country, that that party which he represented as inimical to the liberties of France, as desirous of subverting the charter and re-establishing absolute power, as hostile to the right of representation and to the liberties of the people, which, fortunately for the peace of Europe and the happiness of this country, prevailed in France, he could state, that that party in France viewed with regret and concern the attempt now making by parliament to pacify the distracted state of Ireland, by granting concessions to the Roman Catholics. He stated this opinion advisedly, for he knew it to be consistent with truth. He was satisfied that there was no person in France friendly to the institutions of that country, and anxious to see the authority of the Pope of Rome over that Catholic country kept within its true limits, who was not delighted to see the course in which the parliament of England was about to proceed. The party, of which he had first spoken, he could assure the hon. baronet, viewed with disapprobation the course which government was now taking with respect to the Catholic claims; and the reason was, because that party was unfriendly to civil and religious liberty, and considered the effort now making to restore to this country all the blessings of civil and religious liberty, by giving to all classes of his majesty's subjects equal participation in the benefits of the constitution, as fatal to their own views, hopes, and expectations, that they might one day be able to restore that system of intolerance and oppression which formerly reigned over France. This was the reason for the alarm which that party in France felt at the course which things were taking in this country; and he was sure that if the hon. baronet would take the trouble to inquire more particularly into the opinions of public men and persons of the greatest weight

on the continent, he would find that, in proportion as they were friendly to free institutions, they were anxious to see this country adopt the course she was now pursuing; and in proportion as they were adverse to those institutions they were anxious, not from any dislike to our adopting that course which we might think best, but from a general wish to prevent the progress of liberty, to put down any attempt to grant political rights to the people. He thought it right to state this, as he knew it to be true from what passed while he was on the continent, in the course of last year; and it was his entire conviction, that there was no feeling entertained at the general centre of conspiracy, Rome, but that, having once possessed great power, the Papal authority was now only anxious to maintain itself in its present station; and that no feeling existed in other countries, but an anxiety for their own improvement, and a desire not to be under the dominion of the Pope of Rome. From what the hon. baronet had said respecting the Jesuits, he did not dissent: he should, on the contrary, be glad to see all such institutions as those to which the hon. baronet had alluded put down.

Sir R. Vyvyan, in answer to the question, why, if the feeling of the county of Cornwall was so strong in hostility to Catholic concession, there had not been a county meeting? observed that there had been a county meeting. It had been attended by thirteen magistrates, all who were in the neighbourhood. There were two magistrates present at the meeting, who were very favourable to parliamentary reform, and who talked of *Magna Charta* having been obtained by our Catholic ancestors, and of other matters which had just as much to do with the Catholic question as the Institutes of Justinian. With regard to what had fallen from the right hon. member for Liverpool, it gave him infinite satisfaction to hear that right hon. gentleman say, that if any measure were brought forward to do away with monastic institutions in this country, he would be one of the first to support such a measure. Such a step, if it did not remove all his hostility to further concession to the Catholics, would remove a great part of the objections to it which existed in his mind. As to what had fallen from another hon. member, who supposed that he and those who thought with him on the subject fan-

cied that the modern Catholics were precisely what the Catholics were in the days of Mary, all he could say was, that they were not so besotted as to imagine that such men as the duke of Norfolk, or any other enlightened Catholics, held such opinions. He readily acknowledged that the rights which were taken away from the Catholic peers should be restored to them; and he should be happy to see every Catholic peer occupying his seat in the other House of parliament. But in the House of Commons there were no such rights of sitting. Many other persons besides Catholics were unqualified to sit in that House. No Clergyman could sit in that House, nor any one who was not qualified by possessing a certain income. If it were the natural right of every one to sit in the House of Commons, the lowest and the poorest would be entitled to seats. There was a right, however, with respect to the House of Peers; and he wished his majesty's ministers had commenced the concessions to the Catholics, by proposing a measure for the admission of Catholic peers to their seats in parliament. He would, however, rather see a measure introduced by the supporters of the Catholic claims; because he was sorry to see the government have any thing to do with the matter. The supporters of the Catholic claims should bring forward such a measure. [They have.] Then they should bring it forward again; and if they did, the country would not be taken by surprise as it now was. Every man had an undoubted right to express his opinion. It had been very much the fashion of some gentlemen, to call all those who did not agree with them ignorant and illiberal. There was nothing more indicative of a bad cause than the adoption of such language. Gentlemen ought to recollect, that a question of policy might be viewed in different ways by different persons. Those persons who cast such reflections on their opponents ought to consider that they themselves may not be the highest of all intelligent beings. He did not mean to disparage their intellect; but they ought to allow to other persons the free exercise of their opinions. With respect to what had fallen from the right hon. gentleman concerning the late ministry of France, of which M. Villèle was the head, he was rather surprised to hear that administration had been opposed to the Catholic claims. He only knew that its organs were not opposed to those claims,

Mr. *Hushisson* said, he did not assert what he had asserted on any official grounds; but of this he was sure, that if the hon. baronet were to go to Paris, and mingle with society in that capital, he would find that the friends of the Jesuits, and the enemies of Catholic emancipation, were the same persons.

Mr. *Egerton* presented a petition against concession to the Roman Catholics from the county palatine of Chester. The hon. gentleman said, that the petition was not to be considered as speaking the sentiments of the county at large.

Mr. *George Wilbraham*, connected as he was with the county of Chester, begged to be allowed to say a few words on the subject. He fully concurred in his hon. friend's character of the petition which had been agreed to at Knutsford, and which had just been presented. He could corroborate his statement, that the petition was not to be considered as expressing the sentiments of the gentlemen, freeholders, and other inhabitants of the county of Chester. It might have many signatures; and he had nothing to say against the respectability of many of those by whom it had been signed; but he had good reason to believe, that some of the individuals, whose names were attached to the petition, were of very tender age. When, however, he recollected the efforts that were made to give the meeting at Knutsford an overwhelming character, such as to rival the meeting of the county of Kent—when he recollected the individuals who condescended to go round and endeavour to prevail upon persons to attend the meeting, by stating that the question was not merely whether the Catholics should be admitted to civil rights, but whether the Protestant Church should be allowed to be endangered, he was surprised that a much larger party was not found to support the petition. He was sure he might say, in the name of the great body of the people of Cheshire, that they were ready to acquiesce in any measure which his majesty's ministers might bring forward to give tranquillity to Ireland and strength to the empire; provided they could show that the concessions which they proposed to make were compatible with the security of the Protestant Establishment. So much in their name. In his own, not believing that there was any danger, he thought it idle to talk of securities. Even if any

danger really existed, the best way to obviate it was to do justice. He trusted he should soon see the day, when all civil disabilities on account of religion should be removed. He believed that the people of England were too well instructed to be any longer made the dupes of ignorance, bigotry, and faction.

Mr. *Leycester* complained of the manner in which the petition had been got up, and of the arts resorted to in order to obtain signatures. He knew that the petition had been signed by boys under twelve years. He could not say how many men of straw, or men in buckram, or men from ale-houses, had signed this petition; but there were only seven hundred signatures, instead of thirty-thousand, which had been anticipated. The petitioners presented themselves to the House in a garb in which he found it impossible to recognize them: they styled themselves "the friends of civil and religious liberty." Now, he had the honour to know many of them, and he could declare, as he hoped for emancipation this session, that he had never heard a sentiment in favour of civil and religious liberty proceed from one of them. He objected to the words of the petition, where it stated, that the Catholics never distinguished between their religious and civil allegiance. He might prove the contrary by numerous instances, and particularly that of the Catholic lord Howard, who had destroyed the Catholic Armada in his service to a Protestant princess, and who had been excommunicated for so doing. He might instance another great officer, who, in serving the prince of Orange, had always declared, that his religion belonged to himself, but his sword belonged to his prince.

Mr. *Bastard* presented a petition from the freeholders and other inhabitants of the county of Devon, to which twenty-six thousand names were attached, praying that no further concessions might be granted to the Roman Catholics. The hon. member stated, that his own opinions on the question had undergone no change.

Sir *T. D. Acland* said, that having been desired by a numerous and respectable body of his constituents to attend in his place in the House, and join his colleague in the presentation of the petition, he felt it right to testify to the numbers of the meeting, at which the petition was resolved on, and to the respectability, he

believed, of many among the persons who composed that meeting. He was happy to bear testimony to the fact, that the petition, though he was sorry to say adverse to the great principle which he thought ought to regulate the policy of the country on this important question, was couched in temperate language. The petition was numerously signed, and the meeting had been numerously attended; indeed, he believed, that not one more numerous, or more respectable, had ever been assembled in the Castle-yard at Exeter. The petition was decided on by a majority, though not an overwhelming one, nor, in the fair use of the term, an exceedingly great majority. He should presently have to call the attention of the House to a petition of an opposite nature, which expressed the opinions of another large portion of his constituents.

Mr. *Houldsworth* said, he felt unable to add a word to the character and respectability of the meeting from which the petition emanated beyond the terms used by the hon. baronet. He would only say, that the parties with whom the meeting originated had required the hon. baronet to attend the meeting, and to be at the presentation of their petition, for the purpose of ascertaining his sentiments on the question. In every word that had been said descriptive of the numbers, respectability, and good order, of the immense body of freeholders and other inhabitants of the county who attended on that day—upwards of sixteen thousand—it gave him great satisfaction to be able most fully to concur. One word, however, respecting one individual who had been present, a clergyman, who was said to have taken an active part in the proceedings of that day. He had not the advantage of knowing the respectable individual in question; but, from all that he had learned, and he had made numerous inquiries on the subject, there was not in society one who deserved less the character of a factious man. The very respectable and reverend gentleman in question, had a large property in Ireland, and was as zealous a clergyman as lived, and, he might add, as good a scholar, and as perfect a gentleman, as any in that House.

Lord *Ebrington* said, that much misrepresentation had gone abroad respecting the state of public opinion in the county of Devon. It had been asserted, that

the inhabitants of that county were opposed to Catholic emancipation in the proportion of ninety-nine in every hundred. He believed that, if the population of the county were divided into classes, in a manner the most favourable to the opponents of the question, the majority against it would be found not greater than nine to one. The clergy had been exceedingly active in procuring signatures to the petition before the House, and among other means to which they had resorted for this purpose, they had employed an expression attributed to the late king, but which had never been used by him. The people had likewise been told, that by signing the petition, they would support the government against the radicals. With respect to the obtaining of signatures, the promoters of the petition had certainly adopted the principle of universal suffrage; for they had pressed all classes into their service, and had even induced boys to attach their names to it. Notwithstanding all these efforts, only twenty-six thousand persons out of a male population of two hundred thousand had signed the petition, by themselves and their proxies. In point of property, he believed the preponderance was in favour of the Catholic claims in Devonshire. A few words with respect to the meeting. He could not subscribe to what had been asserted of its orderly conduct. Large bodies of persons were brought from the remote parts of the county, who conducted themselves in a most disorderly way. One of the representatives of the county (sir T. Acland) had been put down by clamour whenever he attempted to speak. In that respect, the meeting could not be said to express the feelings of the freeholders of Devonshire; for he would not libel them so far as to suppose that, after having twice returned the hon. baronet since he had voted for emancipation, they would have refused him an opportunity of vindicating the manly and consistent course of conduct which he had pursued with respect to that question.

Mr. *Lott* said, he admired the manly candour of the noble lord, in the statement he had made; but the noble lord must admit, that there did appear, on the part of a considerable number at the meeting, to be a disposition to prolong the business into the darkness of the evening, when nothing could be decided; and he believed it was a feeling that such was the intention,

that induced the high-sheriff—who, though favourable to the principle of concession, had acted throughout the whole of the proceedings with the strictest impartiality—to put the question before the hon. baronet had had an opportunity of being heard. It was a similar feeling on the part of many at the meeting, which prevented their giving an attentive hearing to the hon. baronet; for he could not suppose that there were any present who did not esteem and respect his character. He would admit, that on the side of the meeting favourable to concession, there was a most respectable display of the aristocracy. On the other side, there were lord Rolle, and a 'highly respectable' body of the resident freeholders of the county; but of the nobility on the other side, there were many who were not residents, or, if so, who resided only for a short time in the county. That there had been much activity in forwarding the petition for signatures through the county, he was not prepared to deny; but there had been equal activity displayed in support of the petition on the other side. But surely that fact could not be urged against the respectability of the petition; for he believed, that a petition more respectably signed had never been presented to the House, than that now before it.

Sir *T. D. Acland* said, that while it gave him pain to be obliged to differ from so large a portion of his constituents, he had great pride and satisfaction in presenting to the House a petition which, considering the circumstances which called it into action, was one of the most important which had been presented to the House for a long time. He admitted, that the county which he had the honour to represent, had for a long time been decidedly hostile to the principle of concession to the Roman Catholics; but he had the satisfaction of witnessing the gradual removal of that hostility. He had seen much of the prejudice which existed on this subject yield to fair and open discussion, and they were about to reap the fruits of that discussion: and now that this happy result was on the eve of being accomplished, it was a satisfaction, that a petition from so large and respectable a portion of the freeholders of Devonshire had been agreed to, in support of what they must all hail with so much pleasure. The petition which he now held in his hand, was from the undersigned freeholders and lease-

holders of the county of Devon, praying that the House would accede to the principle of concession to the Roman Catholics. He would particularly call the attention of the House to the passage in which the petitioners stated, that there never could be a settlement of the question short of emancipation, as long as it was the interest of millions to agitate it, and while a majority of that House supported their prayer. While the principle of concession was advocated by the most eminent men in the state, it was impossible that they should not continue to agitate it; and, indeed, they would be unworthy of the privileges they aspired to, if they refrained from agitating the question, in the settlement of which those rights were involved. The petitioners prayed, that the House, having a due regard to the Protestant constitution, as by law established, would settle the question in the only way in which it could be settled;—namely, by relieving the Catholics from the degraded situation in which they were now placed. The petition came from a large body of freeholders, of a county remarkable hitherto for its opposition to concession to the Catholics, and, with one exception, the only county in which the opponents of concession had ventured to discuss that question in open county meeting. It was signed by two thousand two hundred freeholders and leaseholders, and so careful were the promoters of it to ascertain the real sense of the freeholders, that no one was allowed to sign it, who did not add his address and occupation; and, with the exception of one piece of parchment, on which about a dozen names were signed, this rule was followed throughout. Public notice was given by advertisement of this intention, and a hand-bill to the same effect was sent with every copy of the petition sent for signature through the county. Opportunities were thus afforded to the opposite party to see that the parties signing were what they represented themselves to be. The result of these precautions were, that the petition was signed, as he had stated, by two thousand two hundred freeholders and leaseholders of the county—many of them men of large fortune, all of them of some substance. There were among the signatures those of fifty of the acting magistrates of the county; and of those magistrates who had been called to preside at the Quarter Sessions, three out of four were in favour of

concession. The petition was also signed by the high-sheriff of the county, by the venerable Lord-lieutenant, and by a majority of the aristocracy of the county. He was aware, that the clergy of Devon were decidedly hostile to the claims of the Catholics; but, nevertheless, the petition contained the signature of twenty of that body, at the head of whom was that of the venerable Chancellor of the diocese, a man at once the ornament of his profession, and of the society in which he moved. In giving this enumeration, he trusted he had shewn that this was no common petition. He would add his conviction, that within twelve short months from the present time, there would be found a considerable majority of the whole county, cordially approving, not of concession to be given, but of concession already granted.

Mr. *Duncombe* presented a petition from Halifax, in Yorkshire, signed by ten thousand, five hundred persons, against any further concession to the Catholics. The signatures contained the names of many gentlemen of respectability and high character; and the residence and occupation of each person were affixed to each name.

Mr. *O'Neil* said, he had received instructions to support the prayer of this petition; and from his knowledge of the manner in which it was got up, it might be put on a par with that which had just been presented from Devon. As he was on his legs, he would advert to what had fallen from his hon. colleague, as to the disposition of the inhabitants of the town which he had the honour to represent. His hon. colleague had stated, that the sentiments of the majority of the town of Hull, were in favour of concession; and he had founded that assertion on the fact, that there were fifteen thousand persons in the town who had not signed. Now, he was at issue with his hon. colleague on this subject. He would contend, that his hon. colleague had not fairly represented the sentiments of his constituents on this question, and an opportunity would soon be given for putting the fact beyond doubt. He did not mean to say, that his hon. colleague stated what he did not believe to be true, but he would prove that he was wholly erroneous in his statement. A second petition was now getting up in Hull, which would show that the majority were decidedly hostile to Catholic emancipation.

Ordered to lie on the table.

EMPLOYMENT OF THE POOR — LABOURERS' WAGES.] Mr. *Slaney* rose, in pursuance of the notice he had given, to move for leave to bring in a bill to amend the law respecting the Employment and Relief of able-bodied persons from the Poor-rate. He began by observing, that the present moment was not the proper occasion for discussing the intended bill in its details, yet he trusted the House would give him their indulgence while he delivered a few observations which would convey some information to many hon. members, who might not have given the subject their particular attention. The question was one which involved the comfort and happiness of a large portion of the poorer classes of this country; but it also involved an important pecuniary consideration to the rest of the community. It had been stated by Mr. *Beaufoy*, in 1780, that before fifty years from that time the sums paid for poor-rates would exceed nine millions, and the prophecy was now nearly fulfilled; for at the present moment the amount exceeded eight millions a year. But the mere amount paid to the poor, or the sums spent in litigating questions arising from the present state of the law between parishes, though deserving of consideration, was not the most important feature of inquiry, compared with the misery which the abuse of the poor-laws was calculated to bring on large classes of the community. A short time previous to the commencement of the present century; namely, in 1795, the number of paupers in England and Wales was as one in twelve. In the first year of the century, they were as one in nine, and now they were as one in seven. The number of persons receiving parochial relief at present in the country, was more than two millions. No man could look at this state of things and not say, that the evil was of a magnitude which required calm consideration, as to the remedy. The very fact of receiving parochial relief created a want of self-respect, which had a direct tendency to the increase of crime. There were various causes which had contributed to the increase of pauperism in the country: but without wandering over so wide a field, he would come at once to what he considered the chief cause. It seemed to be agreed on all hands, that the main cause was the abuse of the poor-laws. This law was so short, that he was sure he should be allowed to state it in substance. It was the forty-

third of Elizabeth, and was divided into two parts, each very simple in itself. The first set forth, that the overseers of the parish should set to work those who had no means of maintaining themselves, and the children of those who could not maintain them; and the second part enacted, that they should afford relief to the aged, the lame, the blind, the impotent, and such others, being poor and unable to help themselves. To a departure from the principle of this act, we owed much, if not nearly the whole, of the evils which had grown up into the poor-laws as they were now administered. He would come to the first extensive departure from that principle. In the year 1795, there was no great fluctuation of prices: but soon after, the fluctuation in the price of corn became so great, as to raise it to double in a very short time. Such sudden rises and falls of corn by fits and starts, which, owing to the Corn-bill passed last year, could never again occur in this country, were productive of the most serious injury to the poorer classes;—to such an extent, indeed, as that few of them were able to meet the demands of their families, even for bare subsistence. The magistrates of that day—with good and humane intentions no doubt, but without considering the consequences to which their acts would lead—found in one clause of the act, a word of ambiguous meaning, which they thought would let in the kind of relief which they felt it necessary to bestow. This was the clause which said, that relief should be afforded to the “aged, the lame, the blind, the impotent,” &c. The word “impotent,” they construed to extend to children; and on this they conceived that they were justified in ordering a money allowance to children. From this allowance to children, they went to an allowance for rent to the poor, and then to an increase of wages from the poor-rates. To these were soon after added, a broad scale of Wages and that scale soon became the *minimum* of Wages to be paid. This was, in its effects, equally injurious with the others, and led to the evils which were now so severely felt throughout the country. That they had led to such evils, he would not assert merely on the authority of many most able and experienced men, who had delivered their opinions on the subject—he would rather prove his assertion by the repeated opinions of committees of that House. The hon. member then read several extracts

from the reports of different committees of the House of Commons, for the purpose of proving, that the main cause of the increase of crime, among the lower classes of the population, was the low rate of Labourers' Wages, and the want of sufficient employment; and that this was aggravated by the abuses of the poor-laws, which led at once to a depression of Wages, and to an increase in the number of paupers. He called the attention of the House to the operation of those laws; stating, that it was not so much to the amount of the relief which they afforded to the poor that he objected, as to the form in which they afforded it. If the relief were given in the form of employment, in which money was paid in proportion to the work performed, it would not be objectionable; for the relief then would be distasteful to the eye and to the feeling, and when the necessity for it was over, the party receiving it would return with pleasure to any employment by which he could obtain an independent livelihood. But when the relief afforded to the pauper was founded upon a rate paid for each of his children, it tended to destroy all that forethought and providence, by which men were enabled to meet and conquer pecuniary difficulty. The consequence of this system was, that in many parishes, single men were in a much worse situation than married men—a circumstance which led them to make improvident marriages, in order to entitle them to ask for a greater allowance, as a matter of right. The number of paupers was in this manner perpetually kept up, and it was thus rendered impossible for an industrious man to work himself above the level of that want to which circumstances had degraded him. The hon. member proved, from the evidence of a Mr. Martin, that the result of acting upon this system, had been most injurious in the parish in which that gentleman resided, and stated that such was the case, not in one parish only, but of numberless parishes, in many counties of England. He believed, that in eighteen counties this system prevailed, and he was sorry to say, that it was not stationary, but was invading new districts, destroying the independence of those which were well off, and increasing the misery of those which were sufficiently miserable before. It extended, he might say, through every county which lay south of a line drawn from Bath to Cambridge, and neutralized the efforts and paralysed the exertions of all those benevolent persons who

wished to ameliorate the condition of their poorer countrymen. As a proof of the injurious results of the present system, he would mention a fact which had been communicated to him by an hon. gentleman who was a member of that House. That hon. gentleman had told him, that on one occasion twelve poachers were apprehended, eleven of whom turned out to be paupers. They were working at 2s. 6d. a week, and the twelfth paid them 3s. 6d. a night to engage with him in his nocturnal depredations. Was it wonderful that these paupers had joined him? or rather, would it not have been wonderful if they had refused to join him, placed as they were in a situation from which their own industry could not relieve them? The hon. member, after pointing out the evils of our present system of poor-laws, proceeded to describe the remedy which he proposed to apply to them. The proposition of the committee, which had sat last session upon this subject, and which he now brought forward as its chairman, was to restore the law to the state in which it was at the time when the present abuses were introduced into it as a temporary remedy for temporary evils, but which had acquired their character as abuses by being made a permanent system. He proposed to do away with money allowances to able-bodied men, so long as they were in the employment of third persons; a rule which would draw a line between the industrious and the idle part of the community. There must be, however, some exceptions to this rule; as, for instance, during the temporary illness of the labourer; or where the party was a widow; or where, being a wife, she was deserted by her husband; or where, from old age or other infirmity, the party was able to earn some money, but not sufficient to support himself; or where the party had suffered loss from fire or flood. This was no change in the law, but the restoration of the law to the state in which it was in 1795, when the evil arose out of the high price of provisions. It could not be urged against this system, that it was impracticable, because facts proved that it was very practicable. It was already in practice in the north of England, where the peasantry were acknowledged to be more elevated in tone, and more virtuous in morals, than in any other portion of the kingdom. He asked the House to pass this bill, not because it would increase their rents, or diminish

the poor-rates, but because it would be for the great benefit of a large and numerous class of the community. He hoped that they would consider the measure which he now moved for leave to bring in, with calmness and deliberation; and, in order to prepare them for the discussion of it, he would venture to refer gentlemen to the report of last session. In that report they would find reference made to all the preceding reports; and they would thus be prepared, at some future period, to do something for those unfortunate persons who, as long as these abuses continued, could not hope to extricate themselves from the misery in which they were involved. The hon. member concluded by moving for leave to bring in a bill, "to declare and amend the Law relative to the Employment and Payment of Able-bodied Persons from the Poor Rate, and for the better rating Tenements under a certain value."

Mr. *Hume* said, he was willing to acknowledge how much the country was indebted to his hon. friend for the attention which he had paid to this question for many years back. He agreed with his hon. friend, that great advantages would be derived from raising the price of labour, but he confessed he saw great difficulties in the way of raising the character of the English peasantry to what it was in the year 1795, unless steps were also taken to improve the condition of the people of Ireland. Before his hon. friend could expect to succeed in his views, there were two very important measures to be adopted. The first was to improve the condition of all classes of the peasantry throughout England, Ireland, and Scotland. If they did not raise the condition of Irishmen in particular, but left inducements for them to leave their own country, and come over to compete with Englishmen in labour, working at least as hard, and able to live on one half, they could not raise the condition of the English. At present it was not to be expected, nor, indeed, was it to be wished, that they should remain at home to starve. He hailed the steps which his majesty's ministers were about to take, as the sure means of promoting this desirable object. The country would become tranquil, capital would flow in, and permanent employment would be afforded to the people at home. These advantages might not appear to those who were so clamorous against the proposed measures;

but he conscientiously believed they would go very far to raise the condition even of the people of England. There was, however, another step to be taken which was also of great importance. The monopoly in the corn trade must be done away with. That monopoly tended, as much as any thing else, to degrade the people, and to render assistance from the Poor-laws necessary.

Mr. *Lott* suggested, that some measure for the enforcement of the principle of the bill ought to accompany it, seeing that it was the interest of the large farmer that the wages of the labourer should be paid out of the Poor-rates.

Leave was given to bring in the bill.

CROWN LANDS.] Mr. *D. W. Harvey* said, that in the absence of all opposition to the motion, of which he had given notice, he felt it unnecessary to detain the House with more than a few words in explanation of its object. The motion arose out of the labours of the Finance Committee. During the recess his attention had been drawn to the extensive reports which had been placed by that committee upon the table of the House, respecting the Crown Lands, and he would venture to say, that no subject required greater investigation, or would compensate inquiry more largely, than the particular subject to which he was alluding. The object of his motion was to put the House in possession of the value of this property, and especially of the value of such portions of it as were let out on leases, which would expire in the course of the next seven years; also to obtain information as to the applications which had been made for the renewal of such leases; and also to obtain a statement of the present production of the 500,000*l.* which had been expended in the purchase and erection of houses and other property connected with the Crown Lands. He was of opinion that no property was of so improving a nature as that particular description of property. He thought that, if the property of which the leases would expire in the next seven years, should be re-let at its full value, many hundred thousands of pounds would find their way into the hands of the chancellor of the Exchequer, in the shape of revenue. The result of the returns for which he was going to move, would fully establish that position. He must, however, mention one taking of Crown Lands, to show that a mi-

nute investigation into the property of those lands was required by circumstances. Though he had frequently had occasion to complain of the great expense and delay which attended the transfer of real property in this country, there was a felicitous expedition in the transfer in question, which he could not sufficiently admire. He alluded to the expeditious sale of an estate connected with the Crown Lands in the county of Essex. He could state it as a positive fact, that at the sale of some Crown Lands recently in the county of Essex, near Romford, one of the valuable incidents of this property was described as being the vested right in the purchaser to appoint two out of three of the local magistrates, who had the administration of the civil and criminal law in a wide and populous district. Now, one of these magistrates was certainly a very respectable man; but whether he ought to have such a power intrusted to him was a different thing, for he was a brewer, and the owner of fifty out of seventy public-houses which were situated in the district. He thought it high time to have these matters inquired into, for which purpose he should move for the requisite returns to enable him hereafter to bring the matter under the revision of that House. He concluded by moving for a series of returns, showing the nature and plan of Sale of Crown Lands, and the manner in which this portion of the Crown Revenue was allotted and disposed of.

Mr. *Hume* was anxious to know whether his hon. friend intended to include in his returns, the business of those light-houses, which were at the disposal of the Treasury, independent of the Woods and Forests, and the Trinity-house. Three years ago a committee had sat on the subject of these light-houses, which imposed so heavy a tax upon the shipping interest, and had reported their sense of this onerous tax. The result was, that the Trinity-house had reduced their charges one half, and a promise was given by Mr. *Huskisson*, in his place in parliament, that on the expiration of certain leases of light-houses, which had been granted to individuals, they should not be renewed. Now, in defiance of this promise, the lease of Winterton light-house to lord Braybrooke had been some months ago renewed. It was most extraordinary that the Treasury should have forfeited their pledge in that respect. How, in the present state of the

shipping interest, they could think of hampering it with wanton charges for gross jobs, was to him surprising. If these returns were not included in the motion, he should give notice of a specific motion respecting these private light-houses, for the 2nd of March.

The *Chancellor of the Exchequer* expressed his surprise, that before the hon. gentleman had characterized these transactions as gross jobs, he had not called for some specific information, or made those inquiries which must have satisfied him that he was totally misinformed upon the subject. Now, the fact was, that in the case of lord Braybrooke no extra charge was laid on the shipping for the Winterton lights, but they were placed exactly on the same reduced scale as the Trinity-house charges. The facts were strictly these:—lord Braybrooke had, at the expense of several thousand pounds, erected light-houses upon a certain part of his own estate, which were let on lease for a term of years. Upon the expiration of that term, the government had to negotiate for the purchase of the land in question, or to renew the lease, upon such terms as were thought advisable. Upon the best consideration which they could give the subject, they preferred a renewal of the lease rather than to pay down a large sum of money; but they had stipulated when the renewed term expired, that the light-houses and land should become absolutely vested in the Crown, and in the mean time that the charges should be as moderate as those of the Trinity-house.

The motion was agreed to.

HOUSE OF LORDS.

Thursday, February 26.

ROMAN CATHOLIC CLAIMS—PETITIONS FOR AND AGAINST.] The Marquis of *Anglesey* said, it now became his duty to present a Petition of very considerable importance, and to which he begged leave to direct the particular attention of the House. It was the petition of the noblemen, gentlemen, and others, who had assembled in Dublin, on the 20th of January last, and who expressed themselves decidedly in favour of the repeal of those disabilities under which their Roman Catholic fellow-subjects laboured. This petition owed its origin to two circumstances;—first, to the resolutions agreed to at Buckingham-house in 1825, and

signed by sixty-nine peers; and next, to the publication of the document generally known as the Protestant Declaration. The Protestant Declaration was signed by more of the wealth, rank, talent, respectability, and influence, connected with Ireland, than perhaps any paper that had ever been promulgated there. The manner in which the petition was signed, and the arguments which it contained, were calculated to make a deep impression on the House. The Protestant Declaration, which preceded this petition, was signed by two dukes, seven marquises, twenty-six earls, eleven viscounts, two counts, twenty-two barons, thirty-five baronets, fifty-two members of the House of Commons, and upwards of two thousand persons of other ranks; all of whom were personally interested in the tranquillity of Ireland. This being the case, it was impossible for him to state any thing that could give greater strength or importance to this petition.

The Marquis of *Londonderry* said, he congratulated the House, the country, and, above all, the noble marquis, that he should have come down and made a speech so honourable to himself as he had done on a former occasion, that he should have avowed that so great an alteration had taken place in his sentiments, with respect to the state of Ireland, since he had presided over that country. He was always happy when he could agree in opinion with his noble friend, because he revered his high moral character and his great military talents; but, with respect to his recent political career, he must say that he objected to it altogether. If the noble marquis supposed that the sentiments which he had expressed, coupled with proceedings which had taken place when he was in Ireland, proceedings which, in a great measure, placed him in communication with individuals who were intimately connected with the Catholic Association, and in consequence of which communication he seemed to have imbibed the principles of those individuals, if he supposed that the sentiments which he had uttered, with respect to that Association, afforded a true picture of the feelings of the great body of the Roman Catholics of Ireland, in such a notion he could not coincide. He believed there was not one of them who did not wish success to the Suppression-bill; and he was sure that there was not a noble lord in that House who would not have

said "not content" to any bill for relief, unless the former bill were agreed to. Therefore, it was with the greatest surprise he had heard the noble marquis say that he wished the Association not to be suppressed. The only thing that could save Ireland from constant irritation was this law which would prevent the possibility of the persons forming the Association assembling hereafter. Their lordships had learned, from the public papers, that the members of the Association thought they could, notwithstanding this or any other bill, still continue to assemble. This expression of their opinion gave him very great alarm: and when the noble marquis, who had filled so high a situation, came forward, and appeared to countenance that notion, it seemed to him to be one of the most disastrous circumstances that could occur. He expressed himself strongly on this occasion; and he did so, because he felt deeply. He was perfectly satisfied that, from one end of the kingdom to another, there was not a man of sound intelligence and true principles, principles which led him to support the constitution in church and state, who would not hail with delight the bill which passed their lordships' House yesterday evening; the effect of which he hoped would be, to put an end, for ever, to one of the most mischievous Associations that ever a country was cursed with.

The Marquis of Anglesey said, he should detain their lordships but a few minutes in reply to what had fallen from the noble marquis. That noble marquis, like many other persons, had totally and entirely mistaken him. No one could be less friendly to the Association than he was. No one could have more closely watched its measures; and no one was more anxious, if that Association had done any thing contrary to law, to lay hold of it. He and the law officers of the Crown had looked at every event, had closely watched every debate; and not only closely watched it, but had been anxious, and this had frequently been a subject of discussion with the government, to put an end to it. He would still say what he had then said; he would still maintain, that it was possible to suppress the Association. He had written this opinion, and stated it in his dispatches; he had asked the opinion of his majesty's ministers, and had told them that if the law justified him, and expediency sanctioned the measure,

he could put down that Association without the slightest difficulty, at least without any loss of life. He was not afraid of this; because he had found the members of that Association, when informed of the determination of the government, disposed to acquiesce in it with mildness. He thought it was utterly unnecessary for him to enter, at that moment, into a defence of his public conduct in Ireland. He had already pledged himself to their lordships, that he would not introduce any thing personal to himself, because he did not like to run the least possible risk of interfering with the great object which ministers had in view. He meant merely to say, that if he were now at the head of the government of Ireland, and if he were sure that it was the determination of government not to pass a bill of relief, but to adopt a measure for annihilating the Catholic Association, he would strenuously advise them against taking such a course. If any thing could have tempted him to remain in the government of that country, and ministers had said to him, "No bill of relief shall pass, but we will give you a law which will at once get rid of this Association," he would say, "I implore you to pause—I implore you to consider the consequences." So help him God, he never had any other object in view but the tranquillity of Ireland; and ministers were in possession of various communications from him on that subject. He had acted upon this principle—that it was better that ten thousand individuals should remain in open assembly, with the short-hand writers of the government taking down every word said, than that those disappointed—justly disappointed—persons should be dispersed round the country exciting irritation. Such was the ground on which he had formerly spoken; and he believed that no noble lord in that House would deny the correctness of the statement he had made. He thought that the bill for relief would be carried by an immense majority; but his unshaken conviction was, that the Catholic question would not have arrived at the state which it had attained, if it had not been for the Catholic Association. That body had, he knew, been violent to the last degree,—they had, at times, been extremely personal, and he lamented it; but, for all that, they had mainly tended to bring the Catholic question to the state in which it now was. He did not mean that they had

not, by some of their acts, sometimes retarded their cause in the minds of the people of this country; but unquestionably they had, on the whole, rather strengthened than weakened that cause. For himself, he was content to remain, for the present, subject to unfavourable and erroneous impressions; but he trusted that their lordships would hereafter give him an opportunity of laying before them a statement of his conduct in Ireland.

The Earl of *Darnley* thought it incumbent on him to say a few words, with reference to the unanimity which the first noble marquis had spoken of. If the noble duke at the head of the government had brought in the bill for putting down the Catholic Association without promising measures of concession, he for one should most certainly have said not-content to that bill. He could assure his noble friend who spoke last, that the course of policy he had pursued in Ireland had his approval; and though he had not much regard for the Catholic Association—though he thought it had sometimes retarded the cause it had been intended to advocate—yet the balance of advantage was all on its side. It had done infinitely more good than evil; and had it not existed, Ireland would have been in a less satisfactory state than it now was. If that body had used its authority with violence, it should be remembered, that it had arisen out of our bad system of policy. But for that, the Catholic Association would never have existed; and as it existed, it formed the means of making the sentiments of the Catholics known, and was a sort of safety-valve to let out greater dangers. Whatever might be his opinions of the Association, he should never have given his consent to the bill just passed, if the noble duke had not meant to propose measures of concession, to which that bill was the preliminary step. Now that the bill for getting rid of the Association was passed, he looked forward with confidence to the other bill of concession; and he had no doubt that the noble duke would not suffer any indecent appeals to the passions of the people, to deter him from carrying his contemplated measure into execution.

Lord *Gosford* said, he owed it to himself not to allow some of the observations of the first noble marquis to pass unnoticed. He had no hesitation in saying, as an Irishman, and he had lived nearly all his

life in Ireland, and knew something of that country, that he should have said not-content to the bill recently passed, were it not for the measure by which it was to be followed. He looked on that bill, and therefore had supported it by his vote, as intended to conciliate those who would otherwise oppose the measure of concession. No man possessing true constitutional feeling, could support it on any other terms. It was the price they had to pay for one of the greatest measures that could occupy the attention of parliament; a measure that would give peace to Ireland, impart strength, and unanimity to the empire; and render us feared and respected abroad. On these grounds he had voted for the bill; and nothing could have induced him to support it, if he had not considered it as a sort of stepping-stone to a great and paramount object. As to the Catholic Association, he did not rise to defend that body. Much that occurred in it he lamented, and many very respectable inhabitants of Ireland equally lamented some of their proceedings; but he believed the Association possessed the confidence of the Roman Catholics of Ireland. The Catholic Association, in his mind, grew out of particular events. It was no surprise to him that it was formed; but it would have surprised him very much if it had not been formed, under the existing circumstances. It was the state of affairs in Ireland that forced that Association into being; and he was astonished how any man could doubt that it had been the great means of bringing the question to its present satisfactory state. Ministers had now taken the business in hand, and he hoped in God they would go through with it successfully; to the establishment of the peace and prosperity of the country.

Lord *Plunkett* said, he should not have thought it necessary to take any part in the present discussion, if he had not been particularly adverted to on a former evening by a noble lord (Longford), for the part which he had taken in the government with which he formerly acted. His conduct had been so severely arraigned by that noble lord, that he could not suffer the circumstance to pass without observation. He owned he was the more surprised at the observations which had fallen from the noble lord, from the fact that he had been present in the House on the day preceding that on which those obser-

vations were made, when the noble lord delivered a very able and eloquent speech: he was present on that occasion, he was ready to answer any and every charge which the noble lord might have thought proper to bring against him; but he did not hear the noble lord advert, in the slightest degree, to the neglect, or the supposed neglect, of those individuals who framed the bill of 1825, or of the government whose duty it was to put it into execution. It was therefore a matter of great surprise to him, when he found that the noble lord on another night, during his absence, had thought fit to make those very severe, and as he would call them, unjustifiable observations, which he had not deemed it necessary to offer at an earlier period.

Before he proceeded to advert more particularly to what that noble lord said, he wished, as he had not offered a word on the bill recently passed, to make a few preliminary observations. He thought it right to state, that he did not agree entirely in the reasons offered by any noble lord, as the grounds for giving his support to that bill. He most cordially approved of the suppression of the Association, he gave his most perfect assent to that measure, and he should support any measure which appeared to him to be conducive to the success of the great question which would be soon brought under their consideration. But, independent of that point, he looked upon it as a measure necessary for the country, and for the preservation of public tranquillity. That the great measure of which it was the precursor had, in truth, made it unnecessary, for the purposes of safety, he was satisfied. He was sure that the important measure which had been announced would have the effect of never rendering it necessary to act on this bill. But still he thought it would be conducive to the public tranquillity that the bill should exist, in order to prevent the danger that might arise from the revival of the Association. He therefore gave the measure his approbation; but not exactly on the same grounds as those stated by other noble lords. He had not looked at the Association as leading in any way to the disturbance of the public peace: he did not think that the members of it had any such object, or that they had ever gone the length of contemplating any rebellious proceeding. The danger which he apprehended was of a totally different character. Their lordships saw that, in consequence

of a common grievance, all ranks were united in pursuit of a common object, and that the Association had thus acquired an absolute power and ascendancy over the whole population. They had been enabled to wield a degree of power and authority too great for the administration of legitimate government. They had grown into a state, in which they superseded the ordinary functions of government, and exerted a power which might enable them, at any future time, to mould the population to their purpose; be that purpose good, or be it bad. This was a state of things dangerous in the extreme; and the government of the country were bound to prevent it if they could. But he would go with his noble friend in saying, that unless Catholic emancipation were granted, it would be impossible to interfere to put down the Association, without exposing the country to all the horrors of civil war. He therefore thought that the noble duke had brought the question forward, as essential to the public safety. They could not but perceive that the persons at the head of the Association, for some time back, possessed high authority and great power; they ruled with a greater degree of despotism than ever was known in modern times; they exercised such a despotism over public opinion as made it dangerous for any one to oppose what they dictated. They had, it was true, voluntarily dissolved themselves. He was glad they had done so. That circumstance led him to hope that they would not attempt to evade the law which had been passed to preserve the tranquillity of the country. But he knew this, from his observations of human nature, that no persons ever laid down such power as those individuals possessed, and retired to a private station, in perfect contentment. Therefore, it was necessary to have this check over them, to watch them, and take care that they did nothing that might lead to irritation. He thought that the very grievances under which they had so long laboured might leave some traces of discontent in their minds, which ought to be guarded against. After the passing of these measures the Catholics would be in the situation of invalids restored to perfect health; they would, perhaps, take a retrospective look at the care and attention which had been bestowed on them at different periods of their illness, and there might continue to exist for some time longer a feeling, on the

part of the Catholic body—he would not say of dissatisfaction; but—of regret and disappointment; at what they might be led to consider the tardy concession of their long neglected claims. It was quite clear, too, that there would be a great deal of disappointment amongst many of the Protestants in Ireland, and a great deal of dissatisfaction exhibited by those who were described as the Ultra Protestant party in that country. He did not coincide in the necessity of the present measure merely for putting down the Catholic Association; but he supported it because it armed the government with powers which he believed would be impartially exercised in extinguishing all associations whatsoever; and because he felt assured that it would be followed by that great measure of concession, which was imperiously required for the safety, the honour, and the tranquillity of the country.

Having said so much as to his opinions respecting the measure for suppressing these unlawful associations, and having declared the reasons which had influenced him in giving his support to that act, he would now make a few observations on what had fallen from the noble earl (Longford) in reference to himself and to the government with which he had been connected. It was no light charge, on the part of that noble lord, to say that the law-officers of the Crown had been guilty of a neglect of duty by framing those laws, the framing of which had been confidentially intrusted to them, in such a manner as to render the execution of them impracticable: it was no light charge against the sworn officers of the Crown to accuse them of a neglect of duty, in not putting those laws in execution. It was with a considerable degree of indignation that he, with every respect for the noble lord, begged leave to say, that such an accusation was utterly unfounded, and that he now repelled the charge as untrue and unjustifiable. He would beg leave to call to their lordships' recollection the conduct which he had adopted, in bringing forward those measures to which the noble lord alluded—the part which he had borne in framing them, and in acting upon them; and he would then confidently put it to their lordships to say, whether the charge of the noble lord was not totally untrue and unfounded. In the year 1824 the state of the Roman Catholic Association had become such as to attract the serious

notice of the government. It had not escaped the vigilant observation of his (lord Plunkett's) noble friend then at the head of the Irish government, and he applied his powerful mind to the subject as he did to every subject worthy the attention of so distinguished a statesman, and concurring in opinion with him (lord Plunkett) his noble friend did not then consider it expedient to call upon parliament for any measure to put down that Association. In the course of the year 1824, and in the commencement of 1825, the Association had arrived at such a station as to be justly an object of alarm to the government of the country. At that period, on the representation of his noble friend at the head of the Irish government, and in full coincidence with the opinion of the government in this country, a measure was brought forward for the suppression of that Association. And here he would beg to say, that he believed it was in the contemplation of his noble friend, the then Lord-lieutenant of Ireland, when he recommended that measure to parliament,—certainly it was in his own contemplation—that that measure was not to be considered an insulated measure, but that parliament would follow it up by the enactment of other and widely different measures [hear, hear]. He would state distinctly, that in assisting in the framing and the carrying of that measure, he was under the impression, that it would be followed up by measures of concession to Ireland. The inquiry into the state of Ireland was then in progress; and he was convinced that the immediate effect of that measure would be the concession of the Catholic claims. It was upon such grounds—and such grounds only—that he then supported that bill. In framing that act, he, as Attorney-general for Ireland, had received the assistance of the noble lord on the woolsack, who was then Attorney-general for England, and they were both assisted and supported by the strenuous co-operation of the right hon. gentleman, the then Secretary for Ireland, and who now filled the office of Chancellor of the Exchequer. His noble friend and himself did not consider it their duty, as constitutional lawyers, to frame an act to put down all public meetings, and utterly to suppress the expression of public opinion in Ireland. Their duty, as it appeared to them, was to frame an act to prevent the frequent meetings of an Association, in that country,

which, by repeated discussions of the grievances of the country, had possessed itself a power there inconsistent with the safety of society. That was, then, the sole object in contemplation; and in any thing beyond that, his noble friend and himself would have scorned to participate. For the danger which existed they provided a remedy, and the object of the law was this:—a society met in Ireland for the purpose of redressing grievances: that it lawfully might do; but by continually meeting and discussing the same grievances over and over again, it appeared to the officers of the government in Ireland, that this Association, without assuming the right of representation, or claiming such a character, had, by the frequent discussions of the grievances of the people of Ireland, grown to and absolutely attained, the character of representation. Now, it was a principle of the law that there should be in Ireland no representatives but those elected to serve in parliament, and, for the purpose of carrying into effect that principle, he and those with whose co-operation he was honoured, framed the bill in question. Days were consumed in the framing of that act, and he believed his noble friend who assisted him could not be reproached, and certainly he could not reproach himself, with not having gone to work fairly and honestly, as constitutional lawyers, to frame a bill calculated to accomplish the object which the government had in view. With regard to the continuance of the Association, that bill rendered it penal for any society, assembled for the redress of grievances, to continue to meet beyond a certain limited time: and it enacted, that any members of such society who should continue beyond the time limited by law would become liable to the penalties imposed by the act. That measure, when it was introduced into parliament, was certainly arraigned by some; but on the whole it was supported as necessary for the safety and security of the country, and it finally passed through both Houses of the legislature. The noble duke at present at the head of his majesty's government, in some observations which he had recently made in reference to that measure, had, as it appeared to him been led into an error. The noble duke seemed to think that the difficulty of carrying that bill into execution arose from an exception in the bill, in favour of particular

societies which met solely for religious purposes. That the bill contained such an exception he was ready to admit; but, as far as his recollection served him, he could state that during the period that the bill was in operation, no difficulty arose in putting it into effect, by the persons against whose meetings it was aimed, assembling under the character and name of such Associations as the noble duke spoke of. The difficulties in the way of the execution of the bill arose from different causes. The bill was passed in the year 1825. It was passed with the consent of a great majority in both Houses of parliament, and there was every probability that it would have been completely submitted to by the Roman Catholics of Ireland, if the other measures had been passed which were in contemplation. It was true that, in the House of Commons, complaints and representations had been made, on the part of the Catholics, against the bill; but had the measure of relief immediately followed it—and he supported it on no other principle but as opening such a prospect of peace and happiness to Ireland—he was perfectly satisfied that it would not have excited any discontent in that country. Another measure was also introduced in the same session. He alluded to the disfranchisement of the forty-shilling freeholders. From that measure the feelings of many constitutional persons revolted; but he supported it, as he did the act for the suppression of the Association, because the one was thought essential to the safety of the country—because the other would, in the opinion of several well-informed individuals, produce a sound reform in the system of the representation,—and because he was convinced that both would materially promote the passing of another bill which he afterwards introduced in the House of Commons,—which was passed in that House, and which he had every reason to believe, had it not been rejected by their lordships, would have secured the happiness and welfare of the people of Ireland. He did not know whether the measures now in the contemplation of the noble duke were similar to those which he had mentioned; but for himself he would say, that if they were coupled with the relief and emancipation of the Irish Catholics, they should have his cheerful and cordial support. The period to which he had been just referring was a glorious and

a golden opportunity, which, had it been seized upon at the time, would have yielded the most beneficial results. of this he was satisfied, that had emancipation been conceded at this opportune moment, Ireland would have been long since tranquilized, and they would not have witnessed many of those events which had since unhappily occurred.

Such was his answer to the noble lord's observations; and now he would wish to know what had been the conduct of the noble lord himself upon that occasion? The noble lord had charged the law officers of the Crown in Ireland, and the government of that country, with a neglect of duty, in not executing that law which they had obtained from parliament for the suppression of the Catholic Association. Now what he would again inquire, was, the conduct of the noble lord on that occasion? In a very eloquent speech, and the noble lord could not speak otherwise than eloquently, he opposed the measure for Catholic relief,—he refused his consent to that measure. Not being then a member of that House, he could not have been personally aware of what had passed upon that occasion, but judging by the only public documents of what then occurred, to which he had access, and from which alone he could gather the noble lord's opinions, the tenor of his observations was this: he not only stated his opposition to the measure, but he took upon himself an office and a character which a more prudent man would have avoided, and, as the event amply proved, would have wisely avoided. The noble lord took upon himself to prophesy, and stated, that the opinions of the people of the country, whenever they should be appealed to, would be found, by a vast majority, to be adverse to the measure. When the measure of concession was discussed in the House of Commons, a relative of the noble lord, in supporting it, displayed a maturer strength of understanding and generosity of feeling, that did him infinite honour. The prophetic observation which the noble lord afterwards made appeared to have had the conduct of his honourable relative principally in view. The House would recollect that the noble lord attempted a prophecy; and it was remarkable that the noble lord's relative was withdrawn from the representation of that county, as the noble lord, it seemed, considered his opinions on the subject of emancipation,

such as no longer to entitle him to sit for the county. Another individual, who professed sentiments more in unison with those of the noble lord, was started by him as candidate for the representation. What was the result? In that county, where the noble lord's principal influence and strength lay, his favourite candidate was defeated, and a friend to emancipation was elected; and thus it was that the sentiments of the noble lord were responded to by the people of his own county.

So much with respect to the noble lord, as a disappointed prophet and defeated politician. But, what was more material, the conduct of the noble lord, and of those who acted with him then, was the principal cause of preventing the law for the suppression of the Association from being put in force. It was found at the general election in 1826, that the pressure of common grievances upon all classes had forced the country to unite with the leaders of the Association, who became identified with, and undoubtedly governed, the people of Ireland. Let but their lordships look about and see what was then effected by that body throughout Ireland, and they would no doubt acknowledge that the noble lord's prophecy had been there literally falsified. A contest arose between the gentlemen and the forty-shilling freeholders; the landlords of the country engaged in contest with the priests of the country; the latter came off victorious, and the lords of the soil were driven from the field. The bonds that usually connect society together were rent asunder, and all who were anxious for the safety of the state became frightened and alarmed. After the remarkable events at the elections in 1826, and the magnitude of power then displayed by the Association, he would remind noble lords, that every person interested in the existence of the country, came at once to the conclusion, that things could not go on as they were, and that the safety of the state and the security of the empire demanded the settlement of the Catholic question. Ever since that period, he had felt it his duty, from time to time, to call the attention of the government to the state of the Catholic Association. Whenever he was referred to on the subject, he applied his best and most serious attention to it; he stated distinctly the law on the subject, and he candidly explained the difficulties

that stood in the way of putting it in execution. He stated that a question might be raised so as to bring the Catholic Association before a jury of the country; but he added, at the same time, that upon such a question, an honest and conscientious jury might differ, and that it would not be, perhaps, desirable, under such circumstances, to incur the risk of a defeat. As to the expediency of the prosecution, the Lord-lieutenant, in the case in which his (lord Plunkett's) opinion was demanded, was to decide. But such a prosecution, he would state, had actually been in contemplation, and his opinion, as Attorney-general, had been demanded upon it. The question turned as to whether a prosecution could be instituted against a class of persons who, by some means or other, had become identified with the people of Ireland; it was upon such a question that he had given his opinion, and it lay with the government of the country to decide upon the expediency of such a prosecution. Was he to sit down and draw a bill of indictment against the people of Ireland? It might be that the noble lord considered himself able to do that; but he (lord Plunkett) thought more humbly of himself. The execution of the law depended on the government, and not upon him. In the year 1825, the bill was passed. Down to the year 1827, when his majesty was graciously pleased to appoint him to the situation which he now filled, he was connected with the government of that country, and in no instance did he shrink from the discharge of his duty. He stated to the government his opinion upon the law; and it would be found on examination, that it was not owing to the inefficiency of the law, or to the unwillingness of the law officers, that the government abstained from instituting prosecutions. Upon what grounds the government considered it inexpedient not to proceed to prosecution, it was not for him to say; but he would state the grounds upon which he himself considered such a prosecution inexpedient. The people of Ireland complained of grievances which demanded redress; and he could not put an end to their complaints by instituting prosecutions in his office of Attorney-general, or by an other means in his power. The only way to put an end to the body which assembled for the redress of grievances, was to put an end to the grievances them-

selves. That opinion he had often expressed, and such were the grounds upon which he acted.

The noble lord, however, did not seem to rest satisfied with the honours which he had acquired in his character of prophet and politician; but he appeared to think that the government of the country had a necessary duty to perform, that they should have discharged that duty, without any reference to the dangers which might attend it; and he had stated, that they would have had his support in putting down the Association. God protect the government from such assistance! He would assure the noble lord that there was no necessity for the exercise of his abilities. The noble lord's estimation of the difficulties which stood in the way of prosecution might be different from that which was at the time entertained by the government; but of this the noble lord might be assured, that at no period did that government stand in need of his assistance. He could assure the noble lord, that while he was Attorney-general, and while he was connected with the government of the marquis Wellesley, he was not a party to any measure that required his co-operation, or on which he was called upon to give his opinion, that he ever hesitated in the discharge of his duty; and he could further assure the noble lord, that to enable him to discharge that duty efficiently, he never once required his aid or assistance. There would have been no difficulty in putting down the Association by force, if the government had thought it prudent, just, or expedient, to employ force for that purpose. The government had sufficient force to accomplish that; and they required no aid or assistance from the noble lord to put down a riot or disturbance of the public peace. There were two periods when the government interfered, and interfered with effect. When simultaneous meetings were proposed under the administration of lord Wellesley, the noble marquis issued his proclamation and put an end to them; and when similar meetings were threatened under the administration of the noble marquis who had that evening addressed the House, the same means were resorted to, and the thing was put down. The noble lord had talked of putting down the Association: he seemed to consider it necessary for the peace and the security of the country, that the government should

even have resorted to force for that purpose; but did the noble lord forget that there existed in Ireland other associations equally mischievous and violent as that Association, for the putting down of which he was so ready to tender his assistance to the government? Assuredly he was no great admirer of the Catholic Association. Of all persons in the country he believed he was the one who had been the most frequently and impartially abused in it; and in the period of the fullest vigour and power of that body, he had never shrunk from expressing his opinions of their conduct. But now that that Association had dissolved itself, he felt it to be but an act of justice to the individuals belonging to it, amongst whom were men of high talent and remarkable attainments, to say that at no period did he believe that they contemplated any thing like a disturbance of the public peace. Indeed, it was his conviction that, in many instances, they had been the means of preserving tranquillity. It might be said that they did so with a view to their own safety; but for his part he gave them credit for higher and better motives. What course, however, had the noble lord taken to preserve the public peace? He had become the member of a voluntary association, which was undoubtedly in principle as illiberal and as mischievous as that body which the noble lord had been so anxious to put down. The persons of whom the association to which the noble lord attached himself was formed, went beyond the constitution and the law: they talked of engaging with the people of the country. It was not enough to reason, but they must have club law; and under such circumstances, if the government had not interfered, it would be impossible to say in what state of strife and uproar the country might be now placed. They were told of the violence of the Catholic Association, and of the mad priests and fierce demagogues who swayed that body. Let the noble lord show him a mad priest in the Catholic Association, and he would show him a madder parson in the Brunswick Clubs. He would show the noble lord more rhodomontade there than was ever displayed in the Catholic Association, more fustian and more nonsense; and if he would point out to him an "Ancient Pistol" in the Catholic Association, he would lay his finger upon his fellow in the Brunswick Clubs. It was said that the

Catholic Association had been violent and seditious; but had there been no sedition and treason promulgated in the Brunswick Clubs. The noble lord had vented his indignation in eloquent terms; but how did it happen to be all confined to the Catholic Association, and that he had none to spare for the Brunswick Clubs? Was the noble lord a stranger to the fact, that at some of the meetings of those Brunswick Clubs, threats had been held out, that the king would forfeit his title to the throne, if he acceded to emancipation? Was language like that ever held in the Catholic Association? Why did not the noble lord call upon the law officers of the Crown and the king's representative in Ireland to prosecute the individuals who had used such language? No doubt if they did they would be punished. But he did not blame the Irish government for not instituting such prosecutions. He would say, let them not, for the present, meddle in the quarrels of these people; they were engaged in carrying a great measure, which would put an end to strife and quarrels; and if hereafter such quarrels should arise, or treason such as that be uttered, then let the government interfere and punish the delinquents; but let them not disturb the march of this great question, by any questions of minor importance, connected with the prosecution and punishment of individuals. One of the great charges against the Catholic Association was the collection of the rent. It was certainly unconstitutional, but the pressure of wrongs had driven the people to resort to it. But, was it not true, that there was another rent, and that to that rent the noble lord had subscribed? [The Earl of Longford said, he had contributed to no rent, but had merely given his subscription.] He begged the noble earl's pardon. He had merely given his subscription; but the noble earl had certainly made a payment of money to a political association for political purposes. The noble earl thought it fit and proper to do so, and he quarrelled with the term rent, when applied to it. The term was not properly applied, either, to the Catholic contributions; for it was no rent, undoubtedly; no distress could be levied for it.—He was glad to have one opportunity of thanking the noble lord. He firmly believed that the noble lord and his friends of the Brunswick Clubs had been mainly instrumental in bringing about the adjust-

ment of the question now, he trusted, so near at hand. He heartily thanked the noble lord for the result of his political efforts. It was most true that Mr. O'Connell had contributed much to bring about the concession of the measure; but the noble lord was undoubtedly entitled to share a portion of the praise with him. There was this difference, to be sure,—that Mr. O'Connell had contended for emancipation, and had succeeded in his object; while the noble lord had been the unwitting instrument of his own defeat. The strictures which he had made on the noble lord's conduct had been provoked by the noble lord himself; and he trusted that noble lord would exercise more discretion in his observations for the future. He had arraigned the administration, at the head of which had been lord Liverpool—he had arraigned the administration to which the noble lord on the woolsack had belonged, and to which another noble and learned lord, who maintained the same opinions in reference to the measure recommended from the throne with the noble lord had been attached; for with all of these in turn had he (lord Plunkett,) and his noble friend (lord Wellesley) been connected. With such a minister as the noble duke now at the head of affairs, the noble lord would find it an idle task to oppose the measure when once sanctioned by the government. The noble lord's gallant bark was neatly trimmed, and it rode proudly over the waves; but if the noble lord would consult his gallant relative, who occupied such a distinguished place in the navy of his country, he would most probably tell him, that he carried too much sail; he would further, possibly, tell him that he wanted a little more ballast in the hold, and a little more discretion at the helm, and that it would be as well if he knew the port for which he was making sail; for the noble lord had set out upon his voyage in high spirits for the port of utter and eternal exclusion, and he now found himself in the chops of the bay of concession. He congratulated the noble lord that the period was at length arrived when the great measure of concession would be carried, and that after the bickerings, which now existed were removed, the noble lord could return to that place in society, from which he had been removed by the present unnatural state of things, and to which his high station and his private virtues so fully entitled him.

The Earl of *Longford* said, that the observations which he had made on a former evening had been called from him by what had fallen from a noble marquis opposite. He would now repeat, that the Catholic Association was a most mischievous joint-stock company of sedition, disloyalty, faction, and treason; and that the only palliation for its existence was to be found in the conduct of the two preceding administrations in Ireland, connected with the first of which the noble and learned lord had been. He would maintain, that that government, and the law officers belonging to it, did not attempt to put the law in force against the Association. He would ask their lordships whether, under such circumstances, and after the government had, by bringing forward the Suppression bill, shown the necessity of interference, it was right for the law-officers of the Crown in Ireland to go on for three years, without doing any thing towards carrying that bill into effect? Were not he, and those who held the same opinions of the dangerous and illegal tendency of the Catholic Association, warranted by this supine conduct of the Irish government in complaining, that the Suppression act had not been efficiently put in force? The noble and learned lord had indulged in many observations, through which he did not deem it expedient to follow him; the rather, as they embraced the great question which would shortly be before the House; and which, therefore, it would be premature to then comment upon. He would merely say, that his imputations against the noble and learned lord was for inefficiency—of his sufficiency no man could entertain a doubt—during his Attorney-generalship in Ireland. He held the same opinion, notwithstanding the remarks in which the noble and learned lord had so freely indulged. The noble and learned lord had given him some wholesome admonition on the propriety of abstaining from imputations of misconduct in the responsible officers of the state; but the noble and learned lord should have recollected, that charity began at home, before he violated his own admonition by the freedom of his remarks. He could not recollect the particular words made use of by the noble and learned lord when describing the origin of the Catholic Association, but they were to the effect, that that body was founded on the just complaint of the grievances of the Roman Catholics. He knew not how the

noble and learned lord could justify the term "just," as applied to the grievances of the Catholics. They were not, he contended, just; for this country was essentially Protestant, with a Protestant constitution, a Protestant government, and a Protestant parliament. If the constitution, therefore, of this country was, as he contended it was, essentially Protestant, the noble and learned lord was not justified in designating the grievances of the Catholics as unjust. Those grievances were, if he pleased to have it so, impolitic or inexpedient, but they were not unjust. According to the noble and learned lord, the course which he had always recommended with respect to the Catholics was the only right one; and the plan laid down by his political opponents was fraught with ruin. The noble lord had said that he was only an individual. Now, he did not feel disposed to consider him merely in the light of an individual. He looked upon the noble lord as a public servant, a paid public servant, and as a public servant he should have had the public interest at heart. The noble lord had accused him of wishing to put a stop to freedom of discussion. He would venture to tell the noble lord, that he was no more an enemy to the freedom of discussion than himself. What he objected to was the abuse of that freedom; and he really thought that the constitution often suffered more from that abuse, than it derived of good from the thing itself. The noble lord had thought fit to direct his attention to the Protestant meetings that had been held in Ireland, and had described them to be equally lawless and equally dangerous as the Roman Catholic Association. The noble lord would allow that in the year 1825, when the act to which he had before alluded was passed, and of which the noble lord himself was the framer, the Brunswick Clubs did not exist. The noble lord knew that on the passing of that bill the Catholic Association not only refused all security, but showed a determination, by the most ingenious evasions, to resist its operation. All this the noble lord was aware of, and still he did not hesitate to pronounce the Brunswick Clubs equally lawless and equally dangerous. He was aware that all associations were liable to error, and sometimes to abuse; but while the Brunswick Clubs were but little to blame upon that score, and while their object always was to act in furtherance of the

laws, the avowed object of the Catholic Association was to frustrate those laws. The noble lord had thought fit to denominate him a prophet. He never pretended to any skill in prophecy. He certainly had heard it rumoured that Ireland was going to ruin, and he feared there was too much truth in that rumour. He might almost venture to ask the noble lord whether, in some measure at least, that prophecy, if such he would term it, had not been fulfilled? As to the influence of the Association over the minds of the poor of Ireland, he would only ask the noble lord whether, at the general election, the tenants were not continually turned against their landlords? He believed the noble lord admitted it. Was not that an evil? Was not that influence the result of that species of organization which the Catholic Association had established?

The Duke of *Wellington* said, he was extremely unwilling to trespass on their lordships' attention; but he felt himself compelled to rise, in consequence of an observation that had fallen from the noble and learned lord opposite. That noble and learned lord had stated, that when the bill of 1825, for suppressing the Catholic Association, in the framing of which the noble and learned lord had a chief part, was in progress, he was under an impression that it was to be followed up by other measures of a conciliatory tendency. [Lord Plunkett said, across the table, that he did not mean officially that those measures were to emanate from the government, nor that his impression was more than a private opinion.] He understood his noble and learned friend (if he would allow him to call him so) precisely in that sense; namely, that after the passing of the Suppression bill, he was under an impression that it was intended to propose other measures, with a view to settling the Catholic question. He also recollected a paragraph in a letter from his noble relative, then at the head of the government of Ireland, containing a proposition to the same effect. But he would refer to the answer given by the government here to that letter; in which answer it was distinctly stated, that his majesty's ministers had no intention to bring forward any other measures respecting the Catholics; and that their sole object then was to pass a bill for suppressing the Catholic Association. He thought it right to state thus much, lest the expressions of the noble and

learned lord should be misconstrued. He also felt it to be due to the noble and learned lord, and to the Irish government, to state, that no individuals could possibly be more anxious to do their duty.

Lord *Plunkett* thought it right to repeat, that his expression was that of a private opinion, and did not arise from official information. He did, indeed, expect that the Suppression bill would be followed up by measures in favour of the Catholics, founded on the principle of the recent recommendation from the Throne; but, he repeated, it was a personal or private expectation.

HOUSE OF COMMONS.

Thursday, February 26.

MINUTES. Mr. *BANKES* moved for a new writ for Corfe Castle in the room of N. W. Peach, esq. who had accepted the Chiltern Hundreds.—Mr. *SLANEY* brought in a Bill to declare and amend the Law relating to the employment and payment of able-bodied Labourers from the Poor Rates which was read a first time.—Lord *LOWTHER* postponed till the 10th of March his motion for leave to bring in a Bill to Consolidate and amend the various Acts which regulated the Woods and Forests, and Land Revenue Departments.

SILK TRADE.] Mr. *Davenport* rose to present a Petition from the Mill-men, Silk-throwsters, and others engaged in the Silk-manufacture at Macclesfield, who represented their distresses as very great, and increasing daily, and praying an inquiry into their causes, and the best means of removing them. As he resided in the immediate vicinity of the petitioners, he could bear testimony to the truth of the distressing representations contained in the petition. It was heart-rending to see the misery and poverty which prevailed amongst them; it was lamentable to witness the state of the town, where there were no less than five hundred houses uninhabited, and a large number of the mills altogether idle. The worst circumstance, however, in the whole case was, that at least one-half of the workmen were living on charity. This was a state of things which could not last. Something must be done to mitigate the sufferings which the Silk-throwsters were labouring under. The changes which had taken place in the laws upon this subject had been unquestionably made with the best intentions; but if laws were found to have failed in attaining their object, or to have produced an entirely opposite effect from that contemplated, they ought to be subjected to the revision of parliament.

Sir *G. Philips* said, that the hon. member seemed to have mistaken the causes of the distress which unquestionably was very extensive. The changes which had been made in the law, so far from having produced the distress, had produced a contrary effect upon the Silk-manufacture. The most intelligent amongst the Silk-manufacturers looked upon the changes as beneficial to the manufacture, and believed that any departure from the present system would aggravate the distress. According to the reasoning of the petitioners, if the English manufacturers had been injured by the changes of the law, the French must have profited in the same proportion. Now, so far were the French manufacturers from having derived any benefit from the changes, they had been considerably injured by them, and would look upon a repeal of the present law as one of the greatest benefits they could receive. The true cause of the present distress was, that the manufacture had been extended beyond the demand. This was a circumstance which was not peculiar to the Silk-trade, as the same was the fact with regard to the Cotton trade. The evil which was the result of excessive manufacturing was increased by the use of machinery. The only relief was to be procured by extending the consumption of silk goods, which would indeed be the natural result of the lowness of price. As the principal cause of the diminution of consumption was the extent to which smuggling was carried, that cause must be increased by any increase of duty upon importation, and still more by a prohibition. A change in the present laws would, therefore, increase rather than diminish the evil.

Mr. *Egerton* did not rise to controvert the arguments of the hon. baronet, but merely to confirm the statement which had been made respecting the distress under which the petitioners laboured. He thought he was not going too far in recommending government to take the matter into consideration.

Mr. *Bright* said, that the distress of which the petitioners complained prevailed throughout the kingdom, and deserved the serious attention of the House. The Board of Trade could not, if it were applied to, effect any beneficial alteration, without an examination of parties engaged in the trade, for the purpose of ascertaining the real operation of the change in the law. This was the only way by which

any good could be effected; and to such an inquiry he was willing to give his support.

Sir *H. Parnell* said, that whatever doubt might be entertained as to what was the cause of the present distress in the Silk-trade, there could be no doubt that it had not been caused by the changes which had been made in the law. The silk manufacture had increased since those changes had been made, and if the present system should be persevered in must increase much more. The real cause of the depression was that which had been stated by the duke of Wellington in his answer to the memorial of the silk weavers; namely, the great increase of smuggling; and, if gentlemen would attentively consider the question, they would see that the most salutary measure which could be adopted in the present circumstances would be the diminution of the duty on importation. He believed that the course which the government had adopted was the best which could have been followed; and he hoped that they would persevere in it, and not be led away by statements, which certainly were of a most distressing nature, but which were accompanied with wrong views of the cause of the evil.

General *Gascoyne* thought that the hon. baronet had clearly proved what he did not mean to prove; namely, the necessity of a committee; and if no one else should move for the appointment of one, he would.

ROMAN CATHOLIC CLAIMS — PETITIONS FOR AND AGAINST.] Colonel *Sibthorp* said, he had the honour to present a Petition from the Parish of Saxilby, in the County of Lincoln, praying that the Roman Catholics should not be admitted to seats in the Legislature, or to any of the high offices of State. In presenting it, he should have abstained from making any observations on it, had it not been for the conduct of members on the opposite side of the House, who had attempted to vilify all the petitions presented against concession to the Catholics, by describing them as having been got up in holes and corners! They endeavoured to invalidate the respectability of the persons who had signed these petitions, because the sentiments which they contained were gall and wormwood to them. The petition which he now presented was not got up in holes and

corners, but was the uncontrolled expression of the sentiments of men distinguished for wealth, consequence, intelligence, and a warm attachment to the constitution. He was not at all surprised, that persons who, like the petitioners had been for years lulled in security by a reliance that they had ministers who would preserve their constitution inviolate, should now, when the constitution was about to be attacked by those very ministers, come forth and perform the duty which they owed to their country and their sovereign. He could not avoid calling the attention of the House to a speech which was reported to have been spoken the day before at a tavern in London, and in which it had been stated, that "the concession of Catholic emancipation would secure the stability of the empire, and knit together the hearts of all the people of this country." He treated such language with the contempt which it merited. They were words — "full of sound and fury," but, thank God! "signifying nothing."

Mr. *Estcourt* presented a petition to the same effect from West Bromwich. The petitioners, he said, being anxious to preserve a pure and Scriptural religion, were apprehensive of the consequences of admitting Catholics to political power. They prayed that, if the Romanists could show, that they did not enjoy full toleration, it might be extended to them. These sentiments were the same which he had maintained for twenty years, and he had not as yet heard a single reason for changing them. He was the uncompromising opponent of all concession of political power to the Roman Catholics.

Lord *Milton* said, that the hon. member and his friends professed to be extremely fond of toleration; but he had observed that toleration was most frequently talked of by the intolerant. The want of toleration in the hon. members was not, however, confined to the Romanists, as they called them; for the hon. gentleman had last year been as hostile to the prayer of the Dissenters for relief, as he was now to the claims of the Catholics.

Mr. *Hart Davis* presented a petition from the magistrates, clergy, merchants, householders, and other inhabitants of the city of Bristol and its vicinity, praying that Roman Catholics might not be allowed to sit in either House of parliament, and that no further political power might be granted to persons professing the Roman Catholic

religion. The hon. gentleman called the especial attention of the House to this petition; not only on account of the great number of names attached to it, but because he believed in his conscience, that no petition from a populous city had ever more faithfully expressed the opinion of its inhabitants. As so much had, in another place, been mis-stated, and he was sorry to add, most pertinaciously, respecting this petition, it was necessary that he should state how it originated. Some time before the session commenced, the various parishes of Bristol, through their vestries, signed separate petitions against further concession to the Roman Catholics. The signatures were most numerous and highly respectable; but, as these petitions did not originate from public meetings, it was thought that it would be a more satisfactory test of public opinion, on a question of such vital importance, if a petition should be addressed to the legislature which had the sanction of a public meeting expressly called for that purpose. A deputation of gentlemen waited on the mayor, who declined taking the chair on such an occasion. On this account the intention was postponed, until circumstances should render such a meeting necessary. On the 4th of February, one of the gentlemen who had interested himself on this occasion, received a letter from town with information, that the king's Speech would recommend the disabilities of the Roman Catholics to the consideration of parliament. The principal opponents of those claims in Bristol immediately assembled, and in the first instance determined instantly to call a Meeting of the inhabitants upon the subject; but on consideration they adjourned to the 6th of February, the day after the Speech was delivered from the Throne. On reading that Speech, they resolved to lose no time in appealing to the people of Bristol. A large number of respectable individuals signed a requisition to the Mayor to call a meeting of the inhabitants, and applied to him to allow the Guildhall to be the place of meeting. Subsequently, however, so strong a popular feeling evinced itself, that, as the Guildhall of Bristol could not contain more than two thousand persons, it was judged better that the meeting should be held in Queen-square, in which, very appropriately, was a statue of king William. He would not pretend to state the number of persons who were present

on the occasion. All allowed that it was the largest assemblage that had been seen in Bristol for many years. Some said that there were ten, some fifteen, some twenty, and some five-and-twenty thousand persons. The question having been debated, was fairly put, and by a most overwhelming majority the petition which he held in his hand was carried. The signatures to it, which were not exclusively those of the inhabitants of Bristol, but comprehended the parishes within ten miles, amounted to thirty-eight thousand eight hundred and ninety-four. He begged to add, that the signatures had undergone a strict examination, and that the names of every one who had signed twice, as well as of all females, had been struck out. For himself, he regretted that it had been considered necessary to exclude from the petition this the most interesting portion of the creation. He should like to know on what principle this was done. Had not a female housekeeper as great a right to express the interest she felt in a question of such vital importance, that it might be said all other interests were absorbed in it? Did not the laws of this country permit a female to sit upon the throne, and had not a charter of one of our kings given to the females of Bristol who were daughters of freemen the right to make their husbands free? He feared he had made out a case of ingratitude, as well as of want of gallantry, against his constituents; and he would therefore not push the point further than by hoping that his lady constituents would be treated better on future occasions? He had never before presented a petition signed by more than fifteen thousand names. The petition, therefore, must be considered as a decisive expression of the public voice. He trusted that this voice would reach, and make a due impression on, his majesty's ministers, and excite other large portions of the Protestant population to come forward at this critical moment, in defence of the constitution in church and state. At all events, he had the proud satisfaction of knowing that his constituents had signally performed their duty. He would endeavour to tread in their footsteps, although *non passibus æquis*; and he called upon the House at this awful crisis to perform their duty, by protecting the Protestant constitution of this country as established at that sacred era of our laws and liberties, which laid the founda-

tion of the prosperity and greatness of this country on a rock which he had hoped, and still trusted, would never be shaken. He wished to say one word before he sat down on the recent change of conduct of his right hon. friend, the Secretary of State for the Home Department. No man lamented more deeply that change than he did; but he was bound to declare his conviction, that it arose from no unworthy motive. On the contrary, he thought that no public man had ever made a greater sacrifice of political power than he had done; and, as he believed, from a conviction, however erroneous, that the preservation of his consistency, under present circumstances, would have been injurious to the great interests of the empire at large.

Lord Milton.—Am I right in supposing the hon. member to say, that the thirty-eight thousand signatures attached to the petition are those of inhabitants of Bristol alone?

Mr. H. Davis.—No. Of Bristol, and the parishes ten miles round.

Mr. Bright corroborated the statement of his hon. colleague. He could state, from a paper which he held in his hand, that twenty-four thousand, seven hundred and twelve of the names affixed to the petition were those of inhabitants of Bristol.

Mr. Tennyson doubted very much, whether those who had been employed in striking out double signatures and the names of females had done their duty; for, by the last census, the population of Bristol was calculated at eighty-seven thousand, and of these one half were children. Of the remaining adults one-half only were males. It would consequently require more than one-half of the male adults of Bristol to make up the twenty-four thousand seven hundred and twelve, of whom the hon. member for Bristol had just spoken. Moreover, his learned friend, the member for Winchelsea, had the other night presented a petition in favour of the Catholic claims from one thousand seven hundred inhabitants of Bristol, which number must also be deducted from the amount of male adults. The twenty-four thousand seven hundred and twelve signatures could not, therefore, have been those of male adult inhabitants of Bristol; and he was quite sure that, when he should take these facts into consideration, the honourable gentleman him-

self would be very far from asserting, that those were the signatures of inhabitants of Bristol only. So much for numbers. The petition had also stated that it was that of the magistrates, clergy, merchants, and inhabitants of Bristol. Now, the mayor had not signed it; and among the signatures to the petition presented by his learned friend, the member for Winchelsea, were those of several clergymen and merchants. Consequently, the petition in the hands of the hon. member could not be viewed as the petition of the magistrates, clergy, and merchants of Bristol. He had been informed that, in the petition now before the House, the word "undersigned" was inserted, but, by some manœuvre or another, the word was struck out. He did not mean to say that for these or any such reasons the petition should be rejected, or that the meeting in which it originated was not called by the legitimate authority; he only desired to impress on the House the necessity of looking carefully to the signatures appended to petitions of this nature, in order that they might not receive false impressions, as to the real state of public feeling on this great question.

Sir T. Lethbridge said, he was surprised at the observations of the hon. gentleman, and would undertake to say, that a more respectable, weighty, or important representation had not been made to that House during the present or any former session, and that never had there been a more unanimous expression of public opinion than that conveyed in the petition. He could not refrain from remarking that other petitions on the same subject, respectably, though not so numerous, signed, had been treated by honourable members on the other side of the House in a manner utterly derogatory to the usages of parliament, not creditable to themselves, and at variance with their own expressed sentiments in favour of the free exercise of public opinion. Whatever might be his opinions on the momentous question which was about to be submitted to the consideration of parliament, he was determined that proper respect should be paid to the opinions of the people, on the one side as well as on the other. Of the present petition he would undertake to say, that it was not to be surpassed in weight and respectability by any that would be presented. He believed that it had been agitated in Bristol before the Speech from the Throne had been delivered. What

effect the news of that Speech would have in Bristol, he could not tell; but he did hope that the people in that, as well as in other parts of the empire, would receive the announcement from the Throne with all that respect to which it was entitled. He hoped they would pause before they expressed any angry feeling on the subject. He hoped they would meet the question, as Englishmen should do, with an anxious desire to settle it on a satisfactory basis. There were undoubtedly great interests involved in the subject, which parliament must attend to, and which he was confident parliament would attend to; and he had no doubt that, under the blessing of Providence, the wisdom of that House, and of the other House, and of the Sovereign on the throne, as the three estates of the realm, would produce such a result as would be satisfactory to the empire at large.—He wished to say one word with respect to the right hon. Secretary for the Home Department. He had not had hitherto an opportunity of delivering his opinion respecting that right hon. gentleman's conduct since it had been commented upon in that House, and since it had been animadverted upon out of the House, in a manner disgraceful to the British nation, disgraceful to the British press, and revolting to the best feelings of Englishmen. From all that he knew of that right hon. gentleman, he would venture to say, that he had only come to the result at which he had arrived, after mature deliberation, and from an honest integrity of purpose, which did honour to him as a man, and which deserved the confidence, and not the reprobation, of the House.

Sir *R. Wilson* agreed with the hon. baronet, that the petitions of the people ought to be received with the greatest respect; and he would not hesitate to animadvert on the conduct of any hon. member, who might seem disposed to treat them slightly. But his objection to the present petition was, that it had been signed by persons who, while themselves exercising the right of petitioning, had prevented others from exercising the same right. The petition which had been presented from Bristol by the hon. and learned member for Winchelsea, was signed by 1700 people; but it would have been signed by many more, had not the mayor required it to be withdrawn, in consequence of a riot which took place in Bristol.

Mr. *Hart Davis* explained the manner in which the two Bristol petitions had been lying for signatures, the one at the Guildhall, the other at the Exchange; the mistakes which had occurred by parties signing the wrong petition; the applications to erase those names; the refusal, the subsequent riot, breaking of tables, &c.; and the proposition made by the Mayor to withdraw both petitions. He admitted that but for those occurrences the petition in favour of the Catholics might have received a few more signatures; but only a few. With respect to the male population of Bristol, he believed it to be much more numerous than an hon. gentleman supposed. He thought it approached 60,000; he was sure it exceeded 50,000. He had never stated that "all" the magistrates, clergy, &c. had signed the petition which he held in his hand; but only that a large majority of them had done so.

Mr. *O'Neill* expressed a hope, that the hon. member for Bletchingly, as he had shown so much anxiety to ascertain what was the real opinion of the people of Bristol respecting the Catholic question, would support the motion, which stood for that evening respecting the number of petitions for and against Catholic emancipation.

Lord *J. Russell* suggested to the hon. member the propriety of adding, in the list he was about to move for, an account of the professions of the persons signing the petitions. The purpose, however, for which he now rose was to protest against the statement made by the hon. baronet, the member for Somersetshire, that any attempt was made by gentlemen on his side of the House to discourage the right of petitioning. On the contrary, they maintained that that right ought to be considered as most sacred, and he would venture to say that there were no persons more disposed to pay attention to any representation coming from the people of this country, than those members who sat on his side of the House. But it was because they so highly valued the right of petitioning, that they thought it necessary, when arts were used to make a factitious appearance of petitioning, and a show of opinions not actually entertained, to examine strictly the character and nature of petitions. It was a fact publicly stated, that the present petition from Bristol had been signed by school-boys of ten or

eleven years of age, and their names had been given in the Bristol newspapers. Supposing this to be the case, the hon. baronet would surely allow that it was a legitimate ground for inquiry. Let gentlemen consider the nature of the question which was the subject of the present petition. It was not a question immediately affecting the rights of Protestant laymen. The measure proposed to be brought forward would not take away any of their rights or privileges; nor, according to the recommendation contained in the King's Speech, would it touch the rights or privileges of the clergy. The question was, whether the Roman Catholics could not be admitted to participate in all the benefits of the constitution, with perfect security to the rights and privileges of the clergy and laity. On this question all the men of genius and talents in this country had been exercising their abilities during the last five and twenty years. Was it not too much to say, that we should place greater reliance on the opinions of children under ten or eleven years of age, than on the opinions of such persons? Were the sentiments of such men as Pitt, and Burke, and Fox, and Grattan, to be for a moment compared with the sentiments expressed in a petition got up by artificial means, and signed by many persons who must, of necessity, be wholly unacquainted with the real merits of the question? That was his objection; and it did not in the least apply to the fair and legitimate exercise of the right of petitioning.

Sir *T. Lethbridge* said, he was always ready to do ample justice to the motives of the noble lord and his hon. friends; but still he must say, that on one or two occasions they had attempted to cut down the force of the expression of public opinion, when in favour of that side of the question to which they were opposed. If boys under ten years of age had been permitted to sign the petition, he perfectly agreed with the noble lord, that it was an absurd act, incapable of justification. But the House had heard the hon. member for Bristol declare, that he did not know that any such signatures had been permitted. Under any circumstances it was not very credible. He did not believe that the practice could have been carried to any extent. But even if a few boys had been allowed to sign the petition, of what importance was that, as compared with the

great fact, that the petition had been signed by 38,894 persons? Of that number the incalculably greater portion must have been legitimate signatures.

Mr. *Bright* expressed his surprise, that it should be considered that the Catholic question was a subject fit only for the consideration of learned statesmen and philosophers. He believed that the city of Bristol contained many persons as competent to judge of the merits of that question as any individual who had a seat in that House. The poorer and the middling classes of society acted with reference to this question, not so much from what they knew as from what they felt. Not from what they knew of present measures, but from what they felt from their knowledge of past events; and who, judging in that way, could not be deceived, for there were examples, in the history of the country, with which men of the most ordinary information were well acquainted, and which suggested to them natural and just apprehensions of the consequences likely to ensue from the enactments against which they petitioned. This was the nature of the popular feeling, and of the sentiments expressed in this petition. It should be recollected, that gentlemen were not the representatives of the learned and the great only, but also of the common people; and if they did not consult their feelings, they would be very unfit representatives indeed. He should not have said thus much, had not observations been made on this petition, which it by no means called for. The petition had been publicly exposed to the people of Bristol ever since it was known, from the King's Speech, that ministers intended to make an alteration in the laws. The people had had their apprehensions before; and after that announcement those apprehensions were confirmed. The petition was, in consequence, exposed in public places, and, with the signatures it obtained, now lay on the table. Let any man say that a petition signed by such a multitude was palmed upon the House. Gentlemen might talk of the freedom of petitioning, and declare that they would not criticise petitions too closely: but yet the House was called upon to criticise this petition by a census taken many years ago. He said, in answer to this, that the names affixed to this petition were not all those of persons actually resident in Bristol, but some of persons living in the

neighbourhood. He did not say, but that it might be signed, in some instances, by boys of an early age, nor that it might not contain double signatures. It was probable that it did; but he saw no objection to that; it showed a zealous feeling on the subject. It was also urged that, because the petition did not call itself the petition of the undersigned, it was informal. Such an objection as this was only fit for one of the inferior courts of common law. However the petition was designated—whether of the undersigned, or of the magistrates, clergy, and inhabitants—he apprehended that, in parliamentary language, it could only be received as the petition of the undersigned. Such little attempts at criticism showed the spirit with which these efforts of the people were met. He had determined to say but little on this petition, because, although it was supported by a great multitude of his constituents, yet there were those whom he loved and respected most highly, who were adverse to it; but, when reflections were made upon it, he should feel himself unworthy of the trust reposed in him, if he did not declare his conviction that the petition contained the almost unanimous sense of the city of Bristol. Let those who petitioned on the opposite side of the question enjoy the benefit of the objections which they raised to this petition. Respectable as they were, they were not so numerous, and could not be made so numerous, as those whose sentiments it expressed.

Mr. *Otway Cave* said, that boys and girls had signed the petition. He had lately witnessed some miraculous conversions; but the most miraculous was the fact of the gentlemen opposed to emancipation resorting, for the first time in their lives, to this practical adoption of universal suffrage. They even, according to a letter which he had received, took the petition to the gaol, and had it signed by thirty-seven malefactors on one side of the gaol, and seven on the other. "The girls' names had been struck out, he believed; but still it contained the signatures of many children. Such a practice was a gross abuse of the right of petition.

Mr. *Hart Davis* said, that this was the first time he had heard of that circumstance. If true, it was a most gross abuse of the right of petition, and one of the most impudent frauds ever attempted to be practised upon that House.

Lord *Milton* said, that hardly any thing had fallen from the hon. member for Bristol respecting the petition, with which he did not coincide. He believed that the petition spoke the sentiments of the city of Bristol; but the members for that city would allow him to remind them of a remark made by a former representative of Bristol. Mr. *Burke* had said, that the people were good judges as to whether the House of Commons were making themselves the tools of the court or the true servants of the people; but he added, that "with respect to the wisdom of political measures we have a very different criterion to judge by." He believed that the strong feeling which prevailed in Bristol and the west of England against the Catholic claims might be explained by circumstances. He thought the origin of that feeling might be traced to the cruelties practised in that part of the country by the sanguinary instrument of a Catholic tyrant. In the north of England the feeling against the Catholics was not nearly so strong. He believed that the population of the country might be divided into three classes:—those who were in favour of emancipation, those who were against it, and those who were indifferent; and he believed that the last class would outnumber those who were opposed to it. It would be his duty, in the course of the evening, to present a petition from Halifax in favour of emancipation, signed by nine thousand persons; a number greater than signed the petition from the whole county of Cornwall against it.

Mr. *Brougham* said, he had been misunderstood, if it was supposed that he had made any comments on the conduct of the mayor of Bristol. He did not allude to him at all. He concurred with some hon. members in thinking, that it was wrong to criticise too nicely petitions which proceeded from large bodies of people. It mattered little whether some hundreds of fictitious signatures were mixed up with several thousands of real ones. He considered that the petition from Bristol fairly represented the feelings, if not the opinions, of the majority of the people of that city; but he also believed, that if any petitions were sent up from Sheffield, Leeds, or other large manufacturing towns, they would be of a different nature. He could not agree with the hon. member for Bristol, in thinking so tenderly of the signatures of children, and double signatures;

because he considered the former inadequate, and the latter something very like a fraud.

Mr. *Moore* presented a petition from the nobility, gentry, clergy, and other freeholders of the county and city of Limerick against emancipation.

Mr. *Lloyd* denied that the petition could be considered as speaking the sense of the county which he represented. The persons who had signed it did not constitute one-third of the Protestant inhabitants; and in respect to property, they did not form more than one-tenth of the landed proprietors. He was convinced that many of those who were members of Brunswick clubs would not, in the present posture of affairs, lend themselves for the purpose of defeating conciliatory adjustment brought forward under the auspices of the noble duke at the head of the government, and the right hon. Secretary for the Home Department, in both of whom they placed the most unlimited confidence. He could state, from his knowledge of the opinions of a large number of those who composed the Brunswick clubs, that they had not, in the first instance, been formed from any feeling of hostility towards their Catholic fellow-subjects, but merely that their union might serve as a measure of what they considered necessary defence against the dangers of the Catholic Association. In confirmation of this, he might mention, that when a noble lord was solicited to accept the office of president of the Limerick Brunswick Club, he, with a frankness which always characterised him, expressly declined being considered as a member of any political club, with a view of resisting the wishes of his majesty's government, if they should think it expedient to introduce a measure for the conciliatory adjustment of the question, which he stated he had reason to believe was the intention of the noble duke at the head of the administration. With this reservation he consented to join the Brunswick club, who with cheers accepted him as their president on those terms. It was then, he considered, very difficult to believe that, after this disclaimer of hostility to their Catholic fellow-subjects, they would, after the Catholic Association was extinct, and in defiance of the wishes of their sovereign, use active hostility to defeat a measure recommended from the throne, by the unanimous advice of a cabinet in which

they placed unbounded confidence. As to his own opinions with respect to the contemplated measure, he had no hesitation in declaring, that no measure or combination of measures that could be devised by the best friend of Ireland, could promote the peace and prosperity of that country more effectually than that would do; and he was convinced that it was calculated, above all other things, to consolidate the strength and power of the British empire.

Mr. *Trant* said, that he had been instructed to support the prayer of the petition; and as the hon. member had alluded to a supposed alteration of opinions, in consequence of the measure about to be introduced into parliament, he might be allowed to state, that since the announcement of the intention to introduce that measure, he had received a letter from the secretary to the Limerick Brunswick club, requesting him to support the prayer of this petition to the best of his abilities.

Mr. *Lloyd* expressed his firm belief that the sentiments of a large number of the members of the Brunswick club of Limerick were now favourable to the principle of concession.

Mr. *Moore* said, that if such were the case, the House no doubt would have an opportunity of learning the fact from their petitions in favour of the intended measure. He could also state, that he also had received a letter from the secretary to that club, since that club, had become acquainted with the intentions of government, in which they expressed the same sentiments as before; or if there was any change, it was that those feelings had become stronger.

Mr. *Hume* protested against the doctrine implied in the remark of the hon. member for Dublin, that those who were supposed to be in favour of a particular measure must petition in support of it. If they did petition, of course there could be no doubt of their sentiments; but if they did not, it would be extremely unfair to suppose that they were opposed to it. On the contrary, their not petitioning ought, in justice to be taken as a sign of their approval; on the old principle, that "silence gives consent."

Mr. *Moore* presented a petition from sir Charles Waller, praying the House to turn its attention to the consideration of some provision for the poor of Ireland. The petitioner expressed a hope, that the time

of the House would not be consumed by measures to promote the ambition of the Catholic aristocracy of Ireland, while their poor were neglected; but that some measure would be at the same time devised for the benefit of the poor. The hon. member added, that, for his own part, he could not pronounce whether the measure suggested by sir C. Waller would be for the benefit of Ireland or not; but whoever would take the trouble to read that gentleman's petition would see by it that he possessed a very benevolent heart.

Mr. *Wells* said, he had two petitions to present from Maidstone. One from the minister and congregation of Providence Chapel, and the other from the Protestant inhabitants of Kingstown, in Maidstone. The signatures were numerous, and most respectable, and procured by going from house to house. He concurred most heartily with the sentiments the petitioners expressed. The petition was brought forward, in consequence of the petitioners being alarmed by the desertion of those whom they considered as guardians of the Protestant interest. They therefore prayed that parliament would not grant further concessions to the Roman Catholics, especially to admit them into that House. For himself, he was an advocate for toleration, and therefore was afraid of the intolerant spirit of the Roman Catholics prevailing in the essential part of the government of this country. Sixty Roman Catholic members might govern the House of Commons. He had rather have a Popish king than a Popish parliament, and therefore should resist the measure proposed by administration. He disapproved of the mode of bringing forward the measure after the king's Speech, which recommended it for the deliberation of parliament; but it was afterwards explained, that it was with the king's consent it was to be introduced. This he considered as unconstitutional. He should maintain his opinion, and support it by his vote, though it was to be called factious, base, or infamous. This, he thought, was more the language of the House of Stuart than the House of Brunswick. Whilst he continued to feel that the disabilities could not be removed without danger to the Protestant constitution, he should persevere.

Mr. *A. W. Roberts* said, that a large and respectable portion of the inhabitants of Maidstone were in favour of concession;

but however much the constituents of his hon. colleague and himself might be divided on this question, he was convinced, that not very long after the proposed measure should have passed into a law, which he trusted would be the case in the course of a few weeks, he and his hon. colleague would meet them, and find them unanimous in agreeing, that all the dangers which they feared from concession were imaginary.

Mr. *Wells* said, that if the petitioners had their wish, his hon. colleague would have an opportunity of meeting them sooner, perhaps, than he expected; for they expressed themselves in favour of a dissolution of parliament.

Colonel *Wilson* said:—I hold in my hand a petition from the citizens of York, resident in the town of Kingston-upon-Hull, praying that no further concessions may be granted to the Roman Catholics. I cannot do better than read the words in which the petition is couched: "The petitioners respectfully pray your honourable House to resist the attacks of the Roman Catholics, and to continue those safeguards by which our venerable constitution in church and state has been so long preserved, which blessings we have inherited from our ancestors, and wish to transmit unimpaired to our posterity." I concur; Sir, most cordially in the prayer of this petition. I entered this House with a resolution to support the establishment in church and state. I have always done so, and there has nothing happened yet to induce me to alter that opinion. I am sorry to differ on any subject from the government of my royal master; but I should act as a traitor to my constituents I should act as a traitor to my own conscience, if I did not oppose them on this. When I was first elected a member of parliament, I made a declaration to the effect, that it was my determination to support the government of my royal master, without caring who composed it, when it was acting for the welfare of the country, and to oppose it when my conscience told me that it was acting otherwise. I can appeal to the House and to the public at large, whether I have not always acted up to that declaration. I do not care for ministers. I do not mind who they are. The appointment of my royal master is enough for me. Whether they are Whigs or Tories, it's all one to me. While they act conscientiously I'll support

them. While they act otherwise I'll oppose them. This has been my language always—this is my language now—I care not, I say, who the men are: the appointment of my royal master is good enough for me. Gentlemen may have different opinions, but I am come here to speak my mind. I do not care whether ministers are Whigs or Tories. I say so frankly; it's all the same to me [a laugh]. I am sorry gentlemen should smile; but I shall be glad if they have not occasion before long to weep for the consequences of what they are doing. Perhaps they think that I entertain animosity to the Roman Catholics. I declare before God that I bear them no animosity. There are some of them whom I respect; but it is inconsistent with common sense, if common sense is to predominate, to let Roman Catholics legislate for a Protestant community. I like the present ministers well enough; but I regret to say that I cannot pull with them on this occasion. I say, that if they attempt to force this measure down our throats [a laugh]—I am sorry that my hon. friends opposite will not hear me.—I seldom open my mouth in this House, and I should not have opened it now, if I did not think the present to be an occasion on which all true Protestants should speak out. I ask you, Sir, whether, if I were silent, entertaining the sentiments which I entertain, I should not be acting as a traitor to my constituents, and also as a traitor to my own conscience? [laughter] I am sorry that my hon. friends on the other side are uneasy at my remarks; but I regret still more that ministers should calmly and deliberately ask their royal master and mine to build up this stepping-stone to the scaffold with his own hands [a laugh, and cries of oh! oh!]. I call on every true Protestant to support that sacred barrier which was cemented by the blood of our brave ancestors, for the protection of our invaluable constitution in church and state. Can this be forgot, I ask? Is there one man in this House, with the fear of God before his eyes, who can forget the days of his ancestors, who established that sacred barrier? I say that there is no true Protestant in this House who can sit quiet and allow it to be pulled down about his ears by Catholic legislators. I trust that the day will not dawn, when such ruin shall be accomplished. I trust that the

hand of divine Providence will give the noble heart of my royal master fortitude to stem the malignant torrent, which is now so likely to swamp the state. I hope that it will open the eyes of his majesty's advisers, and cause them to pause a dozen times before they break down the sacred barrier cemented by the blood of our brave ancestors. Can that be forgot? God forbid [laughter]. I am very sorry that I should disturb the equanimity of the House, and I ought perhaps to apologize to the chairman for doing so; but I am a staunch and true Protestant. No man has a more rigid regard for the constitution in church and state, than I have; and, though I say it, there is not a more loyal subject on the face of the earth. I have always been so through life, I am so still, and I will continue to be so to the day of my death. If I thought that the measures which are to be proposed by government would be a remedy for the distresses of Ireland, I would coincide with the views of ministers; but I cannot think so. The measures are pregnant with mischief: they are a fund of mischief. I say that if they force them through the House, it will be establishing a fund of mischief, and not only a fund of mischief, but also a fund of jealousy; the fruits of which will be anarchy and confusion, and a stepping-stone to lead to the destruction of the country. I have every respect, I say, for the Roman Catholics; but if my own father were a Roman Catholic, I would not allow him to come here to legislate for a Protestant constitution. Sir, it cannot be; Protestant flesh and blood will not allow it. I hope that the arm of Providence will not allow it. I hope that he will endow the heart of my royal master with fortitude enough to stem the malignant torrent which is likely to swamp the state. There is no man in the House who feels more for the distress of Ireland than I do. There is no man who will come more cheerfully forward to relieve that distress; but I say that the remedy now proposed will not do it. If his majesty's government will bring forward any specific measure to ameliorate the condition of the poor of Ireland, I shall be proud to support it. I will join in the yoke, and endeavour to ascend the hill with them. I really believe that there is nothing more to be pitied than the lower orders of the population of Ireland. If the proper medicine be adhered to, I

shall willingly support ministers in administering it. As to the remedy now proposed, I say that the cure is worse than the disease. What does all this come to? What does all this mean? The meaning is this—that the Catholics will get hold of the temporalities of the Protestant church, that is, the whole thing it means: that is the essence of it, and nothing else. I repeat, that is the essence of it, and I can only refer you, Sir, and every Protestant who hears me, to the speech of the leader of the Irish parliament on the very Wednesday before the meeting of our parliament. Yes, Sir, let me call the attention of parliament to the declaration of the great O'Connell, the leader of the Irish parliament, or whatever else you please to call it. On the very Wednesday before the meeting of parliament he delivered a speech. I read it, Sir, and I read it with dismay. Not that I mean to find fault with O'Connell. No, he acts as I like; for he acts plainly, openly, and manfully. I wish to God we had some O'Connells on our side of the House [roars of laughter]. Yes, he's the man: he does not go about the bush, and about the bush: no, he speaks plump out: he dares you manfully to your face. He tells you, when he passes within that bar, he'll mow down all the temporalities of the Protestant church. What will the bishops say to that? I refer the bishops, and all the priests in the country, to this speech, addressed to the Irish parliament by this leading orator. When a man has this speech before his eyes, can he say that he is deceived? This is plain speaking at any rate. By God, Sir—[slapping the petition with great violence on the bench before him]—by God, Sir, O'Connell is one of the finest fellows I ever met with. He's no assassin. He does not skulk behind the curtain, to stab you to the heart in the dark. He does not dissemble what he would be at. No: he is the man for my money; for he tells us that he never will rest contented, until he has mown down the temporalities of the Protestant church. If we let him into parliament, we shall be "robbing Peter to pay Paul," with a vengeance. I say that giving up the rights of the Protestant church to the Catholic church, is nothing less than "robbing Peter to pay Paul." Is it likely, I ask, to remedy the distress of the poor of Ireland? I tell the poor of Ireland that it is not. I tell them that they are misled and deceived, if they sup-

pose it will. They will find themselves in the same predicament, in the same cottages, in the same hovels, after the Papists have got all that they want, that they are in at present. I trust that the government, and I tell it to the noble duke who is at the head of my royal master's government, yes, I trust yet in God, and I hope that I shall not be deceived, that if the noble duke shall persist in his determination to pull down with one hand the sacred barrier cemented by the blood of our brave ancestors, for the protection of the Protestant constitution in church and state, he will determine to establish with the other (and I think that he has some glimmering idea of it) some security for the future preservation of that constitution. I will not speak positively as to the measure which is to be brought forward, until the curtain is hauled up, and I see the new light which has burst in upon ministers. As for myself, I must say that I have not got any of the new light [laughter]. I shall say little more. All I have to say is this one sentence more. The Protestant community is now at last roused: the British lion is growling and grumbling. When he is once roused, let those who have roused him beware. [roars of laughter]. I am glad to find that my hon. opponents, who call themselves the friends of liberal principles, are obliged to resort to such baseness of opposition as this. I never have hindered them from delivering their sentiments in quiet to the House. What right have they to interrupt me? If they think to put me down by their outrageous conduct, they mistake their man. It would ill become me, as the representative of the second city in the kingdom, to allow myself to be curbed from delivering my sentiments. It has not been my intention to hurt the feelings of any man in the House, and I therefore hope that I shall be permitted to express my sentiments without interruption, as I honestly and conscientiously entertain them. There is no other question but this on which I shall fly in the face of the government of my royal master's appointment. I have been a staunch Protestant all my life. I was born and bred a Protestant. I hope to die a Protestant; and therefore, on a question so vital to all true Protestants, I hope my opponents will forgive me for honestly and manfully declaring my opinions. I am sorry to say that the great supporter, the main champion, of the Protestant

cause in this House, has been and now is bewildered. There is no doubt that he has some conscientious feeling [laughter]. He showed that he had, when he separated himself from the late Mr. Canning;—a minister whose loss I deeply regret, though he was against us on the great question. Yes; Mr. Canning was what I call a treasure to his country [laughter]. Sir, I will not hide my sentiments. I will not go, as some do, beating about the bush, but never entering the bush. I will say without any reserve, that Mr. Canning was really what I call a great man. It was in consequence of the great Protestant leader deserting that really great man, on account of their difference of opinion on this question, that we placed our confidence in him; and what astonished us, the Protestants of the country, was, that he, the great Protestant leader—but I will not proceed, for he is not here to defend himself, and I wish to act with kindness by him. This, however, I will say, that if the right hon. gentleman had taken and knocked me flat down in the centre of the floor of this House, I should not have been more astonished than I was upon hearing the speech which he delivered on the first night of this session. That is the homespun fact, and I care not who likes it; for I say that the country is now roused. It was bewildered before; it was thunderstruck at the sudden change in the councils of government; but it is now, thanks to Providence, roused, and roused from one end of it to the other. That table, which will ere long be loaded with petitions, will show you the voice of the people: that table will tell you that the people are now roused [loud laughter, in the midst of which an hon. member, who sat behind colonel Wilson, took hold of the skirts of his coat, and endeavoured to pull him down. The gallant officer turned round to him and proceeded]. I beg the hon. gentleman's pardon, but I must proceed. I am under the necessity of expressing my sentiments, and I cannot conceal them without acting as a traitor to my constituents and to my own conscience. I seldom speak in the House; I listen with pleasure to others; and now that I am speaking, I ought not to be interrupted. One sentence more, and I have done. The great Protestant community expect that at this momentous crisis every representative of the people should "do his duty." Whatever may

be the conduct of others, I will do mine, without either fee or reward.

"Whilst I can handle stick or stone,

"I will support the Church and Throne."

Mr. *R. Palmer* presented a petition from six hundred inhabitants of the town of Reading, praying that no further concessions be granted to the Roman Catholics.

Mr. *Monck* trusted that the House would permit him to say a few words on the presentation of this petition. He could not but congratulate the friends of religious liberty on the great progress which this question had recently made in the town and vicinity of Reading. This was proved by the paucity of signatures attached to the present petition. Although the movers and promoters of it had left it for a fortnight in the most public places in the town, and had used all their endeavours to get it numerously signed, by advertising for signatures in the newspapers, they had not been able to obtain, out of the numerous population in that town and neighbourhood, more than six hundred signatures. In opposition to the prayer of that petition he could say, that a great majority of the most influential persons in that district were—he would not say in favour of Catholic emancipation, but, in favour of leaving the whole question to the exclusive consideration of parliament. As he was now on his legs, he would venture to pay the humble tribute of his applause, to his majesty's ministers, for their determination to make this a government question; and he hoped, that as they had undertaken the management of it, they would settle it permanently, by doing justice and acting liberally towards their Catholic fellow-countrymen.

Mr. *F. Palmer* observed, that although the petition purported to be from the town of Reading, it was, in fact, that of the farmers coming to market from the vicinity. He assured the House that the opinions of the people of Reading, had undergone a great change within a few years, upon this subject.

BOGS AND WASTE LANDS OF IRELAND.] Mr. *Brownlow* said, it would be in the recollection of many hon. gentlemen, that, in the course of the last session, he had presented a petition from a society, calling itself a "Society for the Improvement of Ireland," a petition which, from the ample statistical knowledge which it contained as to the state of Ire-

land, the sympathy which it expressed for the sufferings of the unemployed population of Ireland, and still more the remedies which it proposed to apply to the distress of that suffering population, was well worthy of the attention which it received. That petition stated a melancholy fact, which entitled it to the consideration of every thinking man; namely, that there was a vast unemployed population in Ireland, which could find no object to which its labour could be beneficially applied. Such a statement must go to the heart of every feeling man; for it carried with it proof of the existence, in that country, of great and complicated misery; and it addressed itself particularly to the mind of every thinking statesman; for it made them feel that, where there was a population permanently unemployed, without one object to which it could turn its hands or devote its mind, it would not be idle, that if it were not doing good, it would be doing evil, and that it was therefore in a state adverse to the growth of virtue, and very different from that in which a representative of the people would wish the people to remain. The condition of the suffering population of Ireland was past any description of his, and almost past endurance. He would not endeavour to describe that of which any description must fall short: he would only desire hon. members not to conceive any thing of the condition of the poor in Ireland from what they knew of the condition of the poor in England. Undoubtedly those members of the lower classes who were bred in this country to labour, were subject to all the inconveniences of a toilsome existence: they were not, however, without the necessities, nor without even some of the comforts of life. If these, by any of the accidents of fortune, failed them, they had their national charities to which they could apply. But in Ireland it was not so. The poor were there in a state of society many degrees below the level of the people of England, both in food, in clothing, in raiment, and in all the other circumstances for which a people was appreciated. He believed that in no part of the wide world was such complicated suffering borne with such exemplary patience as it was in Ireland. This statement was not to be taken upon his authority alone: it was clearly made out by different reports, which had emanated from different committees of that House. The committee which had

sat on the subject of emigration, had stated in their report, that millions rose daily in Ireland, without knowing to what object they were to direct their labour during the day. Every year there were vast immigrations of Irish paupers into this country, induced to come hither by the prospect of obtaining better wages than at home. If employment were not given to Irishmen at home, their appearance here would soon tend to the injury and demoralization of England. It was impossible that there should exist a considerable difference in the rate of wages obtainable in two neighbouring countries, without a tendency to an approximation. Here the average rate of wages might be taken at 2s., while in Ireland it did not exceed 4d. per head. Sooner or later, if matters were allowed to proceed as at present, a most disastrous level of wages would be adopted, to the ruin of the labourers and manufacturers of this country. He called upon all who heard him to use their best exertions to put a stop to the growing evil. The remedy, he conceived, was easy. If they had millions of unemployed men in Ireland, they had also millions of acres of waste ground, capable of profitable cultivation. Ten or fifteen years ago, a commission, assisted by able engineers, was appointed, for the purpose of inquiring into the nature and extent of the Bogs of Ireland, and the possibility of reclaiming them. The result of their inquiries was, that there was upwards of six millions of acres of Waste Lands in that country, capable of reclamation at a comparative small expense. Owing to the want of a legal remedy to get rid of some natural difficulties, these lands remained altogether uncultivated, and not one step had been taken to reclaim them. Why not endeavour, by employing the distressed population, to contribute to the redemption of these lands? The fact was, that what was everybody's business was nobody's, and men would not undertake improvements by which other individuals, in common with themselves, must be benefited, without adequate remuneration. Things went on from bad to worse; people were left to perish by starvation; so that it might be said of Ireland, it was a country in which the life of the labouring population was considerably abridged in its duration, by the every-day sufferings, penury, and inadequately-rewarded labours to which they were subjected. He was anxious to

obtain leave to bring in such a bill as would remedy some of the evils complained of, by causing the drainage of the Bogs of Ireland. A court or commission might be appointed for this purpose, under the authority of the bill. The members of it should have it in charge to remove those bars or impediments in streams and rivers, which prevented effectual drainage; and they should also be authorized to charge with a portion of the expense of such improvements, the individuals who were to receive benefit from them, according to the advantage which they would derive. He proposed that a certain number of gentlemen, say twenty—should constitute a commission, for the purpose of examining where works of the nature alluded to could be advantageously undertaken. This commission should propose such works as might be considered necessary, and authorize applications for bills to enforce the improvements. Public drains were as necessary as public roads. Such works as he had alluded to, should not be suspended by reason of any private difficulties. He would have them undertaken by the authority of the commissioners. If persons sustained damage in consequence of these works, they should be compensated: if, on the contrary, they were benefitted, they should contribute towards the cost. This was shortly the nature of the measure which he wished to be allowed to bring in, for Draining the Bogs of Ireland. He hoped for the assistance of the House in his endeavour to complete it. Attempts had been made for the accomplishment of this object which did not succeed; but he was desirous of seeing whether the energies of the Irish people could not be made applicable to reclaiming the Waste Lands of that country, in order that those immense tracts and the labouring population might both be improved together, and no longer remain neglected and abandoned. The hon. member concluded by moving, "That leave be given to bring in a bill to facilitate the Drainage of Bogs, and for the improvement of Waste Lands in Ireland."

Mr. *Littleton* seconded the motion. He said, he felt great interest in every thing that tended to the improvement of Ireland. He had lately visited that country, particularly the county represented by his hon. friend, and he had there an opportunity of witnessing upon the estate of his hon. friend, the great improvement which had been

effected by the application of skill and capital to the reclamation of Waste Lands. He did not believe that the surface of this country presented a more remarkable instance of the success with which science had been attended in reclaiming lands inundated with water. He entertained no doubt, that there was not a Bog in Ireland which, with a little expenditure of capital, and under treatment as skilful and scientific, might not be reclaimed with equal advantage to the projector.

Mr. *Leslie Foster* said, he was one of the commissioners engaged in the survey and inquiry relative to the Irish Bogs, and fully agreed with the hon. mover as to the advantage that would be derived from reclaiming them, and the certain return that their improvement, if it could be carried into effect, would afford to individual capital. Under the commission appointed some years ago ten engineers were employed, who all came to the same conclusion, that if a sum, from one pound to twenty pound per acre, was expended on the Bogs of Ireland it would produce a profit of fifteen per cent. There was a great prospect of success; therefore; but, nevertheless, he feared that the bill now proposed would not be found effectual for the object which the hon. member had in view. Judging from his speech of last year, the hon. member was endeavouring to consolidate the different provisions adopted in this country for the reclaiming of fens, marshes, and waste lands; but English fens and Irish bogs were so different, that any mode adopted for the improvement of the one was not likely to succeed with the other. The Irish bogs were from one to four hundred feet above the level of the sea, and afforded every facility for drainage; so that the machinery and engineering exertions necessary for draining the English marshes were not necessary, and a great outlay of capital was not called for. The commission which the hon. member proposed to appoint would have little to do in the removal of bars, or providing a free vent for the waters by engineering operations. He would state the circumstances that kept the Bogs of Ireland in their present state. Those Bogs belonged to the proprietors of the contiguous estates, the boundaries of which were supposed to exist somewhere in the central parts of the Bogs; but these imaginary boundaries having never been defined, there would be great difficulty in fixing them, and as-

signing to the proprietors of the fee-simple their proper share of bog. That was the first obstacle to the improvement of the bogs; but it was a difficulty which might be got over. There was another of a more serious nature, involving a question, not between the proprietors of the fee-simple, but between the respective landlords and their own tenants. Each farmer had a right to turn a number of cattle into the bog, there to obtain a scanty pasturage in the summer months, at the risk of being lost. If any of the proprietors of the soil attempted to reclaim a portion of bog, the tenant's right of pasture would be set up against him, to prevent him from carrying his intention into effect. The shortness of the tenant's time, his small interests in his farm, prevented him from undertaking such improvements himself, and his claim of pasturage on the bog stood in the way of any similar attempt on the part of the landlord. If, without resorting to large drains and embankments, they endeavoured to ascertain the boundaries of estates, and gave an allotment of a certain portion of bog to each tenant, in lieu of the right of common, the principle difficulty would be removed. In order to effect this division, he would appoint, not twenty country gentlemen, but two intelligent engineers, totally unconnected with the country. Let any proprietor who wished to improve bog call upon all the other neighbouring proprietors to put in their claims to their share of bog before the engineers, who should mark out the boundaries of each estate, and determine the allotments to be made to particular tenants. Let the proprietors go to work on the residue; and let their respective portions be marked out by moderately-sized drains, of which the expense, in the first instance, might be defrayed by government, and afterwards by the county; which would soon repay the outlay, by the increased value of the land and the rates payable upon it. Having made that division, he would leave it to private adventure to do the rest.

Mr. *Slaney* thought that some of the difficulties described by the hon. member for Louth might be removed by the appointment of a committee, which would enable gentlemen who were acquainted with the subject to convey much useful information, calculated to promote the object proposed by the hon. member for Armagh, the utility of which every one must admit,

Mr. *Warburton* said, he would rather refer the subject to a limited number of surveyors than to a number of gentlemen, who, in all probability, would not trouble themselves about it.

Lord *F. L. Gower* said, the House and the country were much indebted to the hon. member for Armagh, for bringing forward a subject to which it was impossible to give the most cursory attention without seeing the great advantage that would be derived from accomplishing the object in view; namely, the drainage of the Bogs of Ireland. Perhaps the more eligible mode of proceeding would be by means of a committee; which, if appointed, he trusted would be able to devise some measure calculated to attain the desired end.

Mr. *Hume* observed, that if a committee were appointed to take the subject into consideration, they would have to wait a considerable time before any thing effectual could be done. Let the hon. member bring in a bill, and when read a second time, let the matter be referred to a committee up stairs. He hoped the hon. member for Louth would lend his valuable assistance to the inquiry. Ten years had elapsed since the subject was investigated at the public expense, yet nothing had been done. After the expense of a survey and commission, it was now left to an individual to bring the matter before parliament.

Mr. *L. Foster* said, that none of the commissioners had received any remuneration.

Mr. *R. Grant* said, that the great evil of Ireland consisted in its overpopulousness; in other words, there were a greater number of persons to be employed than there was employment for. Taking the inhabitants to be over-crowded in their present space, the first effect of a measure such as that proposed by the hon. member would be, to relieve the over-population, by placing it on the waste parts when reclaimed; and thus both parts of the country, the old and the new lands, would be relieved. He had no doubt that good would result from the measure, but he thought it rather doubtful whether it would effect all the beneficial results contemplated by its authors.

Mr. *Wallace* feared that, as yet, the matter was not ripe for legislation. He should wish the subject to be referred, with all its detail, to a committee above stairs,

where he believed there would neither be wanting ability nor inclination to investigate it, so as to furnish the House with materials upon which it might safely legislate.

Mr. Brownlow, in reply, said, that the principal difficulty in effecting this object, would be found to arise from the complication of titles to the different portions of the bogs to be drained. This was not an insuperable difficulty however; and he proposed only to press the bill to a second reading, for the purpose of sending it to a committee above stairs.

Leave was given to bring in the bill.

PETITIONS RESPECTING ROMAN CATHOLIC CLAIMS—MOTION FOR WEEKLY RETURN OF.] Mr. O'Neil prefaced the motion of which he had given notice, by reviewing the changes which had taken place in the minds of some highly distinguished men, in that and the other House, upon the important question of political concession to the Roman Catholics of Ireland. He was, he confessed, surprised at the revolution in opinion which had taken place in some of the leading politicians within the last two years. Nor could he devise why they should see reasons in 1829, for concessions which they might not have discovered in 1827. This it was for the lately Anti-Catholic part of the present ministry to reconcile. He could not observe, without pain, that there existed a disposition in too many quarters to adopt the insidious recommendation of a neutrality. On this question he felt it his duty to avow, that he thought no man ought to be influenced by such a recommendation. It was selfish, cold, and heartless. Any person who could refuse to extend relief to a class of his fellow-citizens suffering under unjust privation and galling distractions, was unworthy of the blessings which he himself enjoyed under our excellent constitution. On the other hand, the individual who could assent irreverently to approach the edifice of the constitution, and remove part of that august fabric, or assist in its dilapidation, or even rob it of the appropriate ornaments with which it had been decorated by the pious reverence of our ancestors, was unworthy to be ranked amongst their descendants, and ought to have been born in those more southern countries of Europe, where the inhabitants groaned under the fatal influence of tyranny, bigotry, and superstition. This was

no case for apathy or indifference. But he had to complain, that there had been too much of both displayed, at least by one of the great political parties in the state; and this had proved the parent of a system of misrepresentation which he thought might have a dangerous influence on the great question of concession to the Catholic body. The fact was, their table groaned with petitions, Catholic or Anti-Catholic, which were almost always said to be numerous, signed, whether the signatures were from villages or cities—whether they were twenty-five in number or twenty-five thousand. Now, it was highly desirable, ere the great crisis approached, that the sense of the country should be fairly collected relative to these petitions. The subject of emancipation was one which naturally might be expected to call forth the splendid talents of its zealous and long-tried advocates. A petition in favour of our Catholic fellow-subjects was always considered an appropriate opportunity for a display of ardent advocacy of their cause: but a Protestant petition, as it was called, was a candid statement of facts, and contained no extrinsic matter, about which the meteor light of eloquence might play with corresponding effect. It asserted ancient principles, and solicited protection. Numerically speaking, however, these were far more numerous than the other; they being seven hundred and twenty, whilst those in favour of the meditated concession were two hundred and twenty in number, leaving a numerical majority in favour of the former of five hundred. The latter, it should be remarked, included all those of the Catholics; and yet it was not unusual in that House to hear it roundly asserted, that the feeling of the public was in favour of the principle of concession. It was with a view to this subject that he wished a reference should in future be made, by weekly returns to the House, of the number of petitions presented of either class, describing the number of signatures annexed to each petition, so as to enable the House to collect, as from a balance-sheet, the real sentiments of the nation upon this very important subject. It was true, perhaps, that this would not give to the Protestant petitioners the 'vantage ground' which, through their culpable remissness, they had lost; but it would, at least, place in their hands again the constitutional weapon of petition, and enable them, in the last resort, to save themselves from a

tame and disgraceful surrender. He moved, therefore, "that a weekly return be laid on the table of this House, containing the names of all places in Great Britain from which Petitions for or against Roman Catholics are forwarded to the House; and stating the number of signatures to each Petition, and the amount of the population of such places according to the last census; and that the first list shall include the petitions already presented."

The *Chancellor of the Exchequer* said, he would address himself to the motion before the House rather than to the speech of the hon. member, on which there would be abundance of opportunities; on a future occasion, to comment, as well as to vindicate himself against the charge of intimidation, from which the hon. member wished to rescue the administration by the intimidation of his motion. His objection to the motion was, that it was a deviation from the uniform practice of the House. He did not think that the number of the signatures to a petition formed the best criterion of the value of the opinions expressed in it, or of the general sense of the country. Gentlemen who had experience in these matters, were aware of the manner in which petitions were got up, in particular places for particular purposes; and, with every respect for the sentiments of the persons who had been connected with such transactions, he should state, that many instances occurred where parties had signed petitions, with the subject of which they could not be cognisant. Of what use were knowledge and information, if they did not tell in the value of opinions, and if we were to hold the sentiments of men of no information in the same degree of estimation, as those of persons who had enlightened their minds upon the subject on which they were to give their judgments? But the test which the hon. member proposed would have the effect of depriving his own petitions of the weight to which they might be otherwise entitled. His proposition was, to set down in one column the number of the petitioners, and in an opposite column the whole number of the population of the place. But if, for instance, he was to take a petition from the congregation of a Methodist chapel, which was situated in a district containing a population of forty thousand persons, the comparison which would be of necessity made upon such an occasion would have the effect of depriving the petition of the

respect to which it would be otherwise entitled. Another instance which he should mention was that of a petition which had been presented to the House from an individual named John Joseph Stockdale, who was described as of the Opera-colonnade and parish of St. James, and who had prayed that the House would not make any concession of political power to the Roman Catholics. He did not mean to say any thing about the value of the sentiments of this petitioner, but let the House see how totally Mr. John Joseph Stockdale would be destroyed if the proposition of the hon. member should be acceded to. Mr. John Joseph Stockdale would be a figure of one in opposition to sixty thousand persons who composed the population of the parish of St. James. By this plan, if carried into effect, the petitions of the clergy would be deprived of that weight to which he should always consider them entitled, from the learning and piety of the parties from whom they proceeded. His objections to the proposed motion were, that the number of signatures was not a proper criterion of the sense of the country, and that, if the rule should be admitted in this case, the House could scarcely refuse to grant a similar motion in every other case; and, to admit it as a general rule would lead to the greatest inconvenience. Under these circumstances he felt it his duty to move the previous question.

Mr. *Trant* said, he agreed with his right hon. friend, that the motion, if agreed to, would lead to much inconvenience as a general rule, and produce no advantage in his particular case. But, as to the opinion expressed by his right hon. friend, he should recommend him to abstain from giving expression to such opinions, as that the question which was soon to come before the House was one on which no man was competent to form a judgment, except the aristocratical portion of the community, and what was called men of talent. His right hon. friend would find that the mass of the people of England were now more generally educated than formerly; and if his right hon. friend and his colleagues should not pay due attention to the objections which had been made, and which would be made, by the people of England upon the subject, it might lead to consequences of the most tremendous description. The hon. member here read an extract from a speech made by the late Mr. Canning upon the subject, in which

the right hon. gentleman had stated, that "this question ought never to be made a government question, and that it never could prosper unless it should finally work its way through the legislature and the country; and that there was a great mass of inert resistance to it in the minds of the people of England." This speech had been made not long ago, and Mr. Canning added upon that occasion, that the inert mass of which he then spoke might be very fearfully excited, if any attempt were made to force on the question. These words had at the time made a deep impression upon his mind, which had been increased by succeeding events. He hoped the prediction of Mr. Canning would not be fulfilled; but, if he had understood him rightly, he had intimated, that any attempt, such as was now about to be made, would produce greater evils than a divided cabinet or an unmanageable House of Commons, or any of the other dangers which had been stated in justification of the course which was about to be adopted.

Mr. *O'Neil*, in reply, observed, that he had brought forward his motion because some hon. members had forgotten the pledges they had made on the hustings, and he wished to show them, that though they had changed, their constituents had not. He should give a proof of his readiness to give way to the opinions of others by not pressing his motion.

The motion was then withdrawn.

TURNPIKE ROAD BILL FEES.] The standing order relating to Turnpike Road Bill Fees being read, the Chancellor of the Exchequer, in a committee of the House, moved,

"That it is expedient, as far as possible, to relieve parties from the expenses attendant on applications to parliament for bills to continue or amend acts for making, maintaining, keeping in repair, and improving Turnpike Roads:—That antient legal fees are due and payable to the officers of parliament upon the different stages of such bills:—That an humble address be presented to his majesty, humbly to pray his majesty, that he will be graciously pleased to give directions, that there be issued, from time to time, such sums of money as may be sufficient to pay the fees due and payable to the officers of the parliament on all bills for continuing or amending any acts for making and main-

taining, keeping in repair, or improving Turnpike Roads, as shall pass the two Houses of parliament, and receive the royal assent; and to assure his majesty that this House will make good the same."

Mr. *Littleton* expressed his approbation of the manner in which the right hon. gentleman had acceded to the proposition which he had thought it his duty to make during the last session.

The resolutions were agreed to.

HOUSE OF LORDS.

Friday, February 27:

ROMAN CATHOLIC CLAIMS — PETITIONS FOR AND AGAINST.] The Marquis of *Downshire* said, he had, some evenings since, presented a petition relative to the Roman Catholic claims, purporting to come from Alderman Watson of Limerick, which it now turned out was not a true petition from that individual, but a mere hoax. As he had no knowledge at the time that it was a hoax, he had only discharged a public duty in presenting the petition to the House. He had no knowledge whatever of the person who drew up the petition, or of his hand-writing. He had written to the individual from whom the petition was supposed to come, and who he understood was a very respectable man, informing him that he had fulfilled his wish in presenting the petition; but he had received a letter yesterday, and another to-day, denying that any such petition had been sent; and certainly the hand-writing of these letters was very different from that of the petition. Such a trick, he believed, was a breach of privilege; and he was extremely sorry that he had been at all mixed up with the transaction. Having said thus much, he should leave the business with their lordships.

The Earl of *Limerick* said, that when the petition was read in that House, he was fully impressed with the idea that it was a forgery. The worthy alderman was made to state in the petition, that he had always been adverse to the Roman Catholic claims, which certainly was the fact; but the petition further set forth, that he had changed his opinion, and that for the most extraordinary reason. It was perfectly true, that, in former times, instances had occurred of men changing their opinion, but he never knew any individual guilty of such profligacy as to declare

that he had changed his opinion to please the ministers of the day. Yet such was the statement which the worthy alderman was supposed to have made. It was set forth in the mock petition, that he supposed the ministers of the day had changed their opinion, and therefore he had altered his. This was so extraordinary an avowal, that he confessed he did not believe any man could make it, and therefore he had thought, from the first, that the petition was a forgery. Having stated thus much, he would read a letter which he had received from the worthy alderman, from which the House would at once perceive that the petition was a tissue of falsehood and misrepresentation. The noble earl then read the letter, in which the writer observed, that some persons had been amusing themselves by playing off a hoax at his expense. He denied that he had sent any petition to parliament, and declared that, during his whole life, he had been opposed to the Roman Catholic claims, and nothing had occurred to induce him to change his opinion. The noble earl proceeded to say, that he considered this as by no means a trifling matter. The dignity of the House was concerned; and it was incumbent on their lordships to take some steps to protect their dignity. He wished to refer the consideration of the subject to the noble and learned lord on the woolsack. He had no motion to propose to the House, but he thought that he was only doing his duty to their lordships in calling their attention to the subject.

The *Lord Chancellor* said, when the petition was read, he thought it was quite obvious, from the nature of its contents, that it was a forgery. It appeared to him to have been intended as an insult to the dignity of that House. The noble marquis, however, not knowing but that it was a veritable petition, thought he had no alternative, but to present it to the House. As the noble earl did not mean to follow up his observations by any motion, he begged leave to state the course that had been taken on similar occasions. It was customary on these occasions to appoint a select committee to investigate the affair, and to endeavour to find out the individual who had written the document. The House afterwards inflicted such punishment, or censure, as was commensurate with the offence. He should therefore move, "That a peer in his place having declared that he had received a letter

denying that a certain petition, presented to this House, had come from the party whose name was thereunto subscribed, a select committee be appointed to examine into the said complaint, and report to the House thereon." The motion was agreed to, and a committee appointed.

The Earl of *Guilford* presented a petition from Dover, signed by one thousand five hundred and sixty persons, which number included the principal inhabitants of that town. The petitioners declared that, in their opinion, the Roman Catholic religion was wholly irreconcilable with religious liberty, and with the safety of the established church.

The Earl of *Darnley* observed, that the petition did not speak the sense of all the inhabitants of Dover. So far from that being the case, he could state, from his own knowledge, that a great number of the freeholders of that town had signed the petition in favour of the Catholic claims.

Lord *King* said, that the feelings of the petitioners seemed to be wonderfully excited, and their fears greatly alarmed, lest concession to the Catholics should be the means of overturning the constitution in church and state. Now, he would show to their lordships whence all this horror and dread of Popery came. They were all derived from one source: all the no-Popery petitions derived their horrors from the same fountain. They might all be discovered in a little book called "The Protestant Almanack, for 1680," about two years after Titus Oates had been founding his Brunswick clubs. He would just read a passage or two to show the feelings of that time, which he was sorry to say appeared to be revived in the present. He believed that those tales were handed down by tradition from one old woman to another; and, in truth, they were only fit to frighten old women. The first tale he would call their lordships' attention to was, that "Pope Sylvester sold himself to the Devil and worshipped him; that he kept his father's concubine and several others; that he constantly dined with those harlots; that he ravished wives and widows who came to consult him; that he made bishops of ten years old; that he put out his father's eyes, and mutilated the cardinals in a manner to which he could not allude more particularly." Another tale was, that "some hundred years since, a Mrs. Gilberts, a Dutch woman,

found her way to Douay, where she picked up a little latin; that, assuming male attire, she became Pope; and that she brought forth a child on her way to church." These were the sort of stories which created so much terror in former days, and he believed they had their full effect yet. The Almanack was full of similar tales, and he was very much disposed to make it a present to some of the Brunswick clubs. It was extraordinary that people should be imposed upon by such follies as these.

The Earl of *Longford* presented three petitions against further concessions to the Roman Catholics. The noble and learned lord opposite (*Plunkett*) had on the preceding evening advised him, when concessions were granted to the Roman Catholics, to retire from public life, as a disappointed and defeated politician. When he considered on what ground that advice was given, and that the situation of that noble lord was so different from his own, that noble lord not being in the list of disappointed, defeated, or unfortunate politicians, his advice to the noble lord would be, to persevere—to go on. The noble and learned lord, after some able forensic flourishes, which perfectly accorded with his professional character, suddenly took an aquatic excursion. The noble lord had told him that, after veering about, he was caught in the chops of Concession. Thank God, however, he was not in the whirlpool of Popery. But what did the noble and learned lord do? He bore up for port Popery; but it was so fenced in by the bar or boom of the Protestant constitution, that the noble and learned lord would not be able to enter it, and would be obliged to cast anchor on the holding-ground of peerage. The noble and learned lord had observed, that he had a custom of looking at things all on one side. He knew that in this case he did look to one side; because that side was in favour of the constitution, while the other sought the subversion of it. The noble lord had thought proper to say, that the Protestant associations were equally dangerous and lawless as the Catholic Association. But the principles and the conduct of each were diametrically opposite. Men who were equal to the noble and learned lord in a knowledge of his profession, held that the Protestant associations were not dangerous or lawless. The noble and learned lord's conduct in

Ireland had satisfied neither party. When the bill of 1825, for suppressing the Catholic Association was sent over to Ireland, the country was greatly deceived; for that which was to crush the Association was found inoperative. What did the loyal party say?—Why, that the bill was framed by Mr. Ignoramus Plunkett, in such a manner as to be of no use. At the time of the Union with Ireland, certain prophecies had been uttered by the noble and learned lord, with respect to the result of that event, which had not been fulfilled, and he should not be surprised if the noble lord's last prophecy shared the same fate. Notwithstanding all this, he would say, that he held in the highest respect the talents and character of the noble and learned lord.

Lord *Plunkett* said, he wished to address a very few words to their lordships. He, with unaffected good humour, thanked the noble lord for the kindness with which he concluded his observations, and could assure their lordships, that the previous part of the noble lord's speech, which was not exactly distinguished by the same spirit of kindness, did not make any impression on his temper. He would not follow the noble lord through all his observations; still less would he go through his own history, from the Union with Ireland down to the present time. All he should say was, that if so insignificant a subject happened to occupy the attention of the noble lord, he would not shrink from an investigation of his conduct. But the noble lord had thought fit to go into the debate, or rather conversation, of last night. He supposed the noble lord was not prepared yesterday to answer what was stated in the ordinary way, and conceived that he was entitled to pay off one gale before another became due. The noble lord had come forward, the other night with a speech, in which he charged a public officer, that officer being on his oath, with neglect of his duty. That charge had been replied to, and an opportunity for an immediate answer was given to the noble lord. The noble lord, however, did not avail himself of that opportunity, but had employed the interim that had passed since yesterday, in preparing a speech filled with very sharp sarcasm, and very high-seasoned metaphor. He did not wish to mar the metaphor of the noble lord, or to attempt to criticise it; but one or two observations had fallen

from the noble lord to which he felt it necessary to advert. The noble lord had said, that the bill of 1825 had received one name from the Orangemen, and another from the Catholics, and that it had entitled him to the disapprobation of both parties in Ireland. Now, he had never belonged to any party or political association. He denounced the Catholic Association when in the zenith of their power, and he did not shrink from denouncing the Brunswickers in the present period of their fluttering existence. Next to the praise of both parties, the most gratifying testimony which an honest public man should wish for was, the censure of both parties; and that test had been afforded to his public conduct. Notwithstanding what had fallen from the noble lord, he adhered to the sentiment which he had expressed in regard to the Brunswick clubs. What would have been the consequence of the kind of assistance which the noble lord offered to the Government, on the part of these unconstitutional associations? He would answer—bloodshed. The armed parties in the country were approaching to the encounter, when the government, by its timely interference, averted the dreadful evils of a civil war. If he were disposed to make any difference between those two societies, which were both equally unconstitutional, he would say that those were more excusable whose violent proceedings originated from the pressure of grievous wrongs, than those who resorted to sedition and violence to support an odious monopoly. Much that was condemnable might have occurred in the Catholic Association; but it was to be remembered, that the Roman Catholic Association had never taken arms in their hands to violate the public peace. He would therefore maintain, that the Brunswick clubs had been far more mischievous than the Catholic Association. No doubt, many violent speeches had been made in the Catholic Association, but it had never exhibited the violence and treason of the Brunswick clubs. He should not expose himself to the imputation of bad taste, by continuing this episode. In consequence of the observations which had been made by the noble lord on a former occasion, he owed it to himself and to the public to come down to that House and defend himself. The noble lord was at perfect liberty to renew the discussion whenever he pleased.

HOUSE OF COMMONS.

Friday, Feb. 27.

MINUTES.—MR. STUART WORTLEY brought in a Bill to authorize the sale of Game, and to alter the qualification for taking and killing Game in England, which was read a first time.—SIR HENRY PARNELL moved for Copies of Mr. TELFORD's Reports, Plans, and Estimates for improving the road from London to Liverpool which were ordered. LORD LOWTHER moved for an Account to 5th Jan. 1829, of all monies received and expended for carrying into execution the 7th Geo. 4. c. 77, for the improvement of Charing Cross; which was ordered.—In a committee on the London Bridge Acts, the CHANCELLOR of the EXCHEQUER moved "That the Commissioners of His Majesty's Treasury be authorized to advance and lend to the Lord Mayor, Aldermen and Commons, of the City of London, if they shall think fit, such sums of money towards the defraying the expenses of making approaches to London Bridge, as the said Commissioners shall think proper, upon security being given for the repayment of the same with interest, upon such terms and conditions as the said Commissioners shall direct and appoint," which was agreed to.—MR. KENNEDY moved, "that a select Committee be appointed to consider and give effect to the recommendation contained in the Report of the Select Committee on the Law of Entail in Scotland, which was presented to this House on the 9th of June last; which was agreed to and a Committee appointed.—The CHANCELLOR of the EXCHEQUER brought in a bill to enable the Commissioners for the Reduction of the National Debt to grant Life Annuities for terms of years; which was read a first time.

SILK TRADE.] Mr. Fyler presented a petition from the directors of the poor in the parishes of the Holy Trinity and St. Michael's in Coventry, against the reduction of duty on foreign manufactured Silk goods. The hon. member observed, that there existed great distress amongst the persons engaged in that trade in Coventry and several other parts of the country. He regretted that he was not in his place when the hon. member for Cheshire had addressed the House on this subject, as he could have borne testimony to the great extent of the distress in which persons in that trade were at present involved. He rose for the purpose of saying, that if some other member did not move for the appointment of a committee on this subject, he himself would undertake the task. It was not a want of zeal for the interests of his constituents which prevented him from having done so before now; but he felt that until one great question which occupied so much the mind of the public was disposed of, any other question, however important, would not meet that deliberate consideration which its merits might demand; though it could not be denied that a subject which involved the subsistence of nearly half a million of men, a large portion of them in the metropolis, deserved the most serious consideration. Another reason why he had not introduced a motion for a committee was, that he did

not wish to do it in the absence of the President of the Board of Trade, who had not yet taken his seat in that House.

Mr. G. Robinson said, that great distress existed in the Silk Trade. Though he was not prepared to say it arose wholly from the late measures, he had no doubt it was greatly aggravated by them. After mature deliberation, his opinion was in favour of a committee of inquiry.

Ordered to lie on the table.

ROMAN CATHOLIC CLAIMS—PETITIONS FOR AND AGAINST.] Mr. C. Pallmer presented a petition from Kingston-upon-Thames, against any further concessions to the Roman Catholics. It was most numerous and respectably signed, and he could assure the House that it was the spontaneous expression of the feeling of the petitioners. There was a counter-petition to be presented from the same place, of equal respectability, but he must say that it did not bear so large a portion of signatures; and he thought that the difference of numbers was a matter of vast importance as to the question at issue; namely, whether the Parliament should or should not alter the fundamental constitution of the country, against the sense of a decided majority of the people.

Mr. W. J. Denison, as he was commissioned to present the counter-petition which had been alluded to, begged leave to ask his hon. colleague one question. He agreed that the petition presented by his hon. colleague was more numerous, but he denied that it was more respectably signed, than the one in his possession. The question he would ask the hon. member was, whether he was aware that the petition he had presented had been signed by several of those juvenile statesmen who had been alluded to last night? If that were the case, he certainly should not on that account object to the petition. He had every wish to throw the doors of that House wide open, that the opinions of all classes of his Majesty's subjects might be heard. It appeared, however, that some of the fair sex, as well as the charity boys, had attached their names to the petition. These facts proved, that the schoolmaster was abroad with a vengeance.

Mr. C. Pallmer said, that his hon. colleague was the last person from whom he should have expected to have heard a complaint of the schoolmaster being abroad. On looking into the petition, he certainly

discovered the names of several females; but they were female householders, and he would ask the House whether a female householder, feeling an interest in the religious institutions of the country, had not a right to petition parliament to uphold those constitutions. Subtracting, however, the female names from the petition, there was still a majority in favour of his petition in the proportion of four to one. It was not in his power to discover by their names, as in the case of the females, whether any charity children had or had not signed the petition: but he wished to state, in justification of these poor children, that the town from which the petition came owed all its charities to the bounty of Queen Elizabeth. It might, therefore, be some excuse for these boys, if any had signed the petition, that they were brought up under the bounty of that great patroness of the reformed religion.

Lord Tullamore said, that when he saw it was the determination of ministers to stifle the expression of the public voice, and to throw ridicule on petitions against granting further power to the Roman Catholics,—when he found that improper motives were attributed to those who presented those petitions, he looked with constitutional jealousy on men who pursued such a line of conduct. After what a minister of the Crown had stated last night, that the lower orders ought not to petition, the tocsin of alarm ought to be sounded. He repelled with indignation, the charge brought against himself and those hon. gentlemen who entertained the same opinions with him as to the Catholic claims, that their conduct was base, factious, and infamous; and if such an accusation were made, he should look to a high commentator on the British constitution for his justification. That commentator had stated, that the only manner in which the people could be made to serve in the government, with benefit to themselves, was, not by interfering, but by influencing; the power of the people was not when they struck, but when they kept in awe.

Mr. Alderman Waithman said, he was disposed to regard the right of the people to petition with the greatest reverence, but he thought the adopting of arts and misrepresentations to get up petitions, was a violation of that right. He had no objection to boys or females signing petitions; but, as he walked along the streets of the city, he had seen placards inviting

the people to sign petitions against the Roman Catholics, and he had seen old women of the worst description, sign them without being asked one question. If public opinion was to be collected, it should be where men could show themselves, and where objections could be publicly stated, and explanations given. But these hole and corner people, with their placards, such as were to be seen in the streets of London, appeared to him so grossly to violate the legitimate right of petitioning, that he almost doubted whether such petitions ought to be received.

The *Chancellor of the Exchequer* rose to answer the statement made by a noble lord, that he had last night asserted, that no value could be placed upon petitions from the lower orders. He had never said any such thing. He was answering an hon. member who was of opinion, that the number of the signatures to a petition greatly enhanced its value. That he had denied; but he had never asserted, that the people at large were not fully entitled to express their sentiments to parliament.

General *Gascoyne* believed that the practice of tampering with men to sign petitions was not entirely on one side. He understood that a petition had been got up in favour of the Catholic claims in the vestry-room of one of the parishes in the hon. alderman's ward, and that men had been offered a pot of beer each to sign it.

Alderman *Waithman* said, it was unknown to him that a petition had been set on foot in any parish of his ward; and he did not believe that there was, for the people there always acted openly.

Mr. *Mildmay* thought, that the petitions should be examined, not to see whether boys signed them, but how they were got up. He understood that the basest means had been adopted to influence the people to sign anti-Catholic petitions in the city he represented. Exciting placards had been exhibited, one of which ran as follows:—"The King,—our true Protestant King,—had declared within the last forty-eight hours, that he still entertains the same opinion on the Catholic question as he did in 1827, and if his faithful people rally round the throne, the slightest inroad will not be made upon the constitution." All this was known to be false by the respectable part of the people, but it might be taken for true by the ignorant; who were thus taught to believe that their

monarch was base enough to turn round on his ministers and to overthrow that great measure, which he had advised parliament to deliberate upon. The using the name of the sovereign in this way, was base indeed. He believed there was a great change of opinion throughout the country, on the subject of the Catholic question. He had always voted for Catholic emancipation, and by so doing had offended his constituents; but he understood, that they were now disposed to place full confidence in his majesty's ministers, and he should have no fear of the result if he had to canvass the city to-morrow.

Sir *C. Cole* stated, that the people of the county he represented, (Glamorganshire), were disposed to rest satisfied until they saw what the measure was which ministers proposed to bring forward; but within a few days some emissaries had been sent over from the opposite shore, who had published the most violent placards, calling upon the people to sign a petition against the Catholics. He thought it highly disgraceful to those who sent over these emissaries.

Lord *J. Russell* said, he would take the present opportunity to ask a question of some importance of the Chancellor of the Exchequer. The right hon. gentleman was aware that there was an order of the House for a call on Thursday next. The noble lord who moved for that call, had stated that he would not press it, until the day on which ministers should bring forward the measure they had in contemplation with respect to the Roman Catholics. Now, before the House adjourned, it would be convenient to know whether that call was likely to take effect on Thursday, or whether it would be deferred to a later period.

The *Chancellor of the Exchequer* stated, that it was the intention of some one member of his majesty's government, on behalf of that government, to make on Thursday next an explanation to the House of the nature of the measure which his majesty's government had in contemplation, with respect to the removal of the disabilities affecting the Roman Catholics.

Lord *Milton* presented a petition from Sheffield, in favour of Catholic emancipation. He said, that the meeting at which the petition was resolved on had been regularly convened by the authorities of the place. It was attended by between

six thousand and eight thousand persons, and the petition was signed by upwards of seven thousand. This was a proof, that when the question was fairly stated to great bodies of the people, they did not feel that indisposition to it which was generally supposed.

Mr. *Marshall* said, that the petition had not been carried about for signatures. The feeling in favour of the Catholics was not confined to Sheffield. He had had the honour to preside over a meeting held at Leeds, at which sixteen thousand persons were present; and on that occasion, a petition, praying for the removal of all civil disabilities imposed on account of religious opinions, was carried by a decided majority, notwithstanding the efforts of the Leeds Brunswick club.

Mr. *S. Wortley* said, he believed that in Sheffield and other large towns in the north, opinions were nicely balanced, with regard to the question of emancipation, but throughout the county the numerical majority and popular clamour were certainly opposed to it.

Mr. *Denison* presented a petition from Kingston-on-Thames, in favour of emancipation. He said, that the persons who had signed it, though not so numerous, were quite as respectable as those who had signed the petition presented by his hon. colleague. In his opinion, there would be no peace for the empire if emancipation was not carried. He thought that the safety of the Protestant institutions depended on conciliation, not on coercion; on admission, not on exclusion. Justice had not been done to the two statesmen who had placed the question on its present footing. He trusted that the right hon. Secretary for the Home Department would be returned for Oxford by a triumphant majority. Between the emperor Napoleon and the duke of Wellington there was this difference;—the former used all his power to forge chains for mankind; the latter employed his power in releasing his fellow-countrymen from the chains which had been imposed on them in darker ages.

Mr. *Sykes* presented a petition from Hull in favour of emancipation. He expressed his surprise that his hon. colleague should, on a former night, have contradicted the statement he had made, that the majority of the inhabitants were favourably inclined to emancipation. He repeated that such was the fact. The most undue means had been resorted to,

in order to get up petitions against the Catholics in Hull. He had received a letter from a friend which stated, that persons were posted at shop-doors, like barkers at mock auctions, to solicit signatures. One of these men had asked some sailors to sign the petition, and when they hesitated he said, "My lads, do you want the Catholics to take your wages and cut your throats?" The sailors still hesitated; when he said, "If you do not sign, your wages will be taken away, and your throats cut." The celebrated Letter of a noble lord was placarded on the walls of the town. In another placard it was stated, that the consequence of emancipation would be the having of a Popish king and a Popish parliament. A copy of the declaration of the mutineers at the Nore, in 1798, was likewise placarded. What that had to do with the Catholic question he could not conceive. He believed, that if such extraordinary influences as those to which he had adverted were not called into action, there would be but few petitions against the Catholic claims.

Mr. *O'Neil* said, he would contend, that the majority of his constituents were adverse to concession to the Roman Catholics; and, as a proof of it, referred to the fact, that at the last election, he had been placed five hundred a head on the second day's poll, solely with reference to his opinions, as contrasted with those of his hon. colleague, on this very question. It was a conviction of the sentiments of the people in this respect, which prevented his hon. colleague from being chaired on that occasion in the town where he resided. With respect to the letter which his hon. colleague had read, little weight ought to be attached to an anonymous communication; but if any parties had impressed upon the minds of the people of that town the danger of having a Popish king, was not that danger made out by what they had recently witnessed? They had seen a Popish parliament and a Popish treasury, and the money of the Irish people collected to supply that treasury. They were, then, he contended, justified in pointing out other dangers, which they might apprehend.

[IMPRESSMENT OF SEAMEN.] On the order of the day for going into a committee on the Navy Estimates,

Mr. *Robinson* said, that he wished to take that opportunity of asking whether

it was the intention of the Admiralty to introduce any measure for abolishing the system of the Impressment of Seamen? He was one of those who were fully aware of the delicacy of the question; but the present system appeared to him so inconsistent with personal freedom, and so repugnant to the spirit of the people, that nothing short of a conviction of its absolute necessity could make him for a moment concur in its continuance. It was not only as it affected the persons of the sailors themselves, but as it affected the interests of the commercial classes of this country, that it was of great and vital importance. He had always thought, that if no plan could be adopted to do away with the whole system, it was worth while to consider if it could not be altered and amended. As a mercantile man he could state, that the system was most injurious to the commercial interests. It not only compelled ship-owners to pay sailors a most enormous rate of wages—more especially in trading to the colonies, or to places abroad, where our squadrons were stationed—but it obliged them to pay large sums under the name of “run money,” in consequence of having their seamen liable to be impressed at any part of the voyage. He objected to the system altogether, but most especially to that part of it which vested the power in the hands of inferior officers, without putting them under the control of any superior commander on the station where they happened to be. That power was often most injuriously exercised where there was but one vessel on the station; and he, therefore, thought that if the government could not get rid of the evil altogether, it was worthy of their consideration, whether they could not alter the present mode of administering the power, and place it in the hands of high and responsible officers; and not allow any petty officer to impress seamen from merchant vessels either at sea or in port. He requested the right hon. gentleman to state, what were the intentions of government upon this subject.

Sir George Clerk said, that the hon. member could not expect that, in a Committee of Supply, he was prepared to go into the question of the impressment of seamen. He would however state, for the hon. member's information, that certainly the Admiralty had no intention of bringing forward any plan for the abolition of impressment altogether. The hon. member

was aware that, during peace, that mode of manning the royal navy was never resorted to but in extreme cases, and that in war it was only employed when necessity required it. He would add, however, that regulations had been already made and were in progress, which would contribute so much to the comfort of the seamen, that there was little chance of its being resorted to even in time of war, as there was every probability that a sufficient supply of men could in future be obtained without it. At the same time, so much depended on the government being able, in cases of emergency, to put forth the whole naval strength of the country, that it would not be wise to give up the power which they possessed, of compelling the services of commercial seamen.

Mr. Hume said, that although he concurred with the hon. member, he thought that the moment for going into the Navy Estimates was not the proper one for its discussion. The subject was one of such great importance as to deserve to be considered separately; and if the hon. member would fix a day, he should be happy to support his view of it.

NAVY ESTIMATES.] The House having resolved itself into the Committee,

Sir George Clerk said, that in submitting the Navy Estimates for the present year, it afforded him great satisfaction to be able to state, that there was a considerable reduction in the amount of expense, as compared with the last year. He could assure the committee, that the Admiralty had devoted its utmost attention to all the departments, connected with the navy, with the view to reduction wherever it was practicable. The result was, that a very considerable reduction had been made in many of the Civil Departments, and measures were in progress which would enable them to announce a still greater reduction in the ensuing year; but hon. members must be aware, that where many of those establishments had existed so long, and were so intimately connected with the management of the naval business, it was necessary to proceed with caution, lest, by ill-judged reduction, they might create a greater evil than that which they sought to remove. For himself and his hon. colleagues he would say, that they had bestowed the most diligent attention on every department in its most minute details;

nor would their attention be remitted, until they should have brought each to the lowest scale of reduction, consistent with the maintenance of a naval force, sufficient for the exigences of the country. Notwithstanding that the force to be kept up during the present year was the same in numerical amount in several of the civil branches, there had been reductions which would diminish the expense this year upwards of 100,000*l.*, as compared with the last.—It would now be his duty to go through the various estimates, and to call the attention of the committee to the items which had been altered, and the consequent increase of some and diminution of others, and to explain the reasons why those reductions now made had been effected, and what were those that were in progress. In the first place, the amount of force to be kept up was, as he had already stated, the same this year as the last. The circumstance which required a considerable naval force in the east of Europe, and which had last year rendered an increase of our naval force necessary, were still the same. In that quarter and in other stations abroad, it was necessary to the maintenance of the honour of the British flag, and to protect our commercial interests. The force employed for this purpose was as low as it could be for such an object, and not greater than that of other powers on similar service. It was necessary for him to explain the apparent increase which had been made in the rate of seamen's wages, which were in the estimates at 3*s.* per man per month higher than the last year. It would be in the recollection of those hon. members who had sat in the Finance Committee, that when the Comptroller of the Navy was examined before the committee, he stated that the amount for wages was lower than in 1827. The deficiency in wages in other years was made up in the account of stores—so much of “slops” being allowed to each, and charged against their wages. It occurred to him that it would simplify the accounts to have the whole amount of wages put under one head. Thus the amount appearing under the head of “stores” was considerably reduced, and a corresponding amount was added to the charge for wages; though there was, in fact, no real addition to the wages, the object of the change being to put each account in its most simple form. The amount of this apparent increase of

3*s.* per man per month for wages was 59,000*l.*; but the amount of the charge for stores was reduced in the same proportion. The next item was the charge for victualling the navy. That had increased, in consequence of the increased price of flour, and had created a necessity for adding 1*s.* per month per man. This, with the addition of the 3*s.* per head on the rate of wages, made this branch 78,000*l.* greater than it was in the last year, still by reductions in other branches, there would be a reduction on the whole of 117,000*l.* as compared with the last year. With respect to the public offices in London, there was no diminution, but some increase of expense. This would be seen in the vote for contingencies. There were many nautical surveys in progress in different parts of the world, and the engraving and publication of Charts, which had thus become necessary for the information of the public, had necessarily created a considerable expense. The committee were aware, that, by an act passed last year, the Board of Longitude was abolished. The expense of this Board consisted of the charge of 100*l.* a-year each for five commissioners. There was also 100*l.* a-year to the Astronomer Royal; there were likewise three gentlemen of eminent scientific acquirements who were engaged at 100*l.* a-year each. When the Board of Longitude was put down, the Admiralty thought it would be proper to retain the services of those gentlemen at their former salaries—to act as a council, whose advice might be resorted to on questions of science connected with the public service; and when he named the gentlemen whose services were thus engaged, the committee would admit that none stood higher in scientific attainments. The act limited the choice to members of the Council of the Royal Society, as that would afford the best chance of giving men fully qualified for the service required. The names of the gentlemen selected were Dr. Young, captain Sabine, and that eminent chemist Mr. Faraday. When the late President of the Royal Society was residing in this country he was in daily communication with the Admiralty on scientific matters. That advantage would be continued by the appointments of which he had just spoken. One of the gentlemen now employed, was engaged in making experiments in the manufacture of glass used in telescopes. Under

these circumstances it was not supposed that the committee would object to so small a sum to retain the valuable services of these gentlemen. In the estimates of late years, the sum of 1,000*l.* had been voted to enable the Admiralty to give rewards to those who had made any useful discoveries, and to pay the expenses that might be required in making the experiments. These were usually superintended by the Board of Longitude, or the Council of the Royal Society; but in future that charge would chiefly devolve on the three gentlemen he had named.—The next subject to which he would advert was the Navy Pay-office. In consequence of recent defalcations which had occurred in that office, the serious attention of the Admiralty had been bestowed on it, with the view of placing it on such a footing as to prevent the facility of any defalcations in future; but the committee were aware that the duties of the office of paymaster of the navy were regulated by act of parliament, and any alterations which might be necessary for that purpose must be by legislative enactment, and a measure for that purpose would be submitted to the House in a short time. Some regulations would also be introduced, with respect to the civil establishment at Greenwich Hospital which would undergo a minute inquiry, with a view to prevent frauds similar to that which had been recently committed there; but this must also be done by legislative enactment. It was in contemplation to make some change with respect to the payment of pensions; which would be transferred to the office of the Treasurer of the Navy. In the Navy Pay-office it was proposed to make some reductions. There were at present in that office, besides the comptroller of the navy, with a salary of 2,000*l.* a year, two surveyors, and five commissioners, with 1,000*l.* a year each. It was intended to reduce the number of the whole to six. An alteration was also proposed with respect to the clerks, with a view to prevent the increase of superannuation allowances. To effect this it was intended to fill up vacancies as they occurred, from the list of supernumeraries, who would be perfectly satisfied with the increased pay, without being entitled to superannuations. By this means a gradual and effective reduction of charge would be created. The reduction of the number of the commissioners of the navy would require the authority of an act of

parliament to give it effect: for, in consequence of the reduction, it would be necessary to bring in a bill similar to that brought in some years ago, when the number of the lords of the Admiralty was reduced, to enable the signature of two of the commissioners to have the same force which the signature of three of them had at present.—In the Victualling-office it was proposed to reduce one commissioner. It was impossible to carry the reduction further in this department, owing to the miscellaneous nature of the duties which it had to perform. It had to superintend the furnishing, not only of all provisions, but of all the medical stores used in the navy. It was therefore necessary to provide for the occasional absence, not only of the medical, but of the professional commissioners, who had to superintend these distinct departments. The board, as at present constituted, consisted of a chairman, deputy-chairman, and five commissioners, and their salaries had been reduced to 5,000*l.* The committee of finance had said, that a further reduction might be made in this department. It was easy to say so, but he must remind the committee, that in all reductions which related to such important branches of the public service, it was requisite to act with caution, lest, by making an inconsiderate reduction, a greater expenditure should ultimately be incurred by the public. He trusted, however, that before the navy estimates were submitted for consideration next year, he should be able to make such a reduction in this branch of them as would meet the cordial approbation of the committee.—The charge for wages to artificers and labourers employed in the yards at home was reduced this year, when compared with the charge of last, by 10,000*l.* The sum voted for this estimate last year was 490,000*l.*; the sum proposed to be voted this year was 480,000*l.* He had already stated, in accounting for the apparent increase in the charge for the wages of men afloat, that it was occasioned by the transfer to the head of wages of a part of the expenditure, which was before included under the head of stores. Though there was an apparent saving this year under the head of stores, to the amount of 90,000*l.*, it was not to be forgotten, that 60,000*l.* of it was occasioned by its being transferred to the head of wages.—The next item was, the charge for pilotage, which was larger than it was last year. For the last six

years, the sum voted had regularly been less than the expense incurred. The vote had generally been for 40,000*l.*; but the charge had always exceeded that sum. With the intention of making the vote approximate to the actual expenditure, it was now proposed to take 60,000*l.* upon this item.—On the remaining parts of the estimates he had only to remark, that there was very little difference in them from those of last year. There was a small increase in the medical estimate, arising from the increased price of provisions. There was, however, a reduction in the expense incurred for the Royal Naval College at Portsmouth. It was proposed last year, that the students should be called upon to pay a larger sum for their education, in order to meet the expenses of the college; and in consequence of that proposition, the sum demanded from each student had been increased. Previously to last sessions, seventy sons of naval officers were educated at the college. Of these, a part were educated gratuitously, whilst the remainder paid 70*l.* each. The number of students was now increased to eighty. Of this number, forty were to be the sons of officers, and the sum which they were to pay was to be proportional to the rank which their fathers held in the service. The remaining forty were to be the sons of civilians, and the sum which they were to pay was to be increased from 70*l.* to 126*l.* The Admiralty did not call upon such students as were in the college before the 1st of January last year to pay this sum; but they calculated that next year, when all the students would have to pay the sum fixed by the new regulation, the expenses of the college would not be greater than the sum now mentioned in the estimates.—Whilst he was upon this subject, there was one point to which he would call the attention of the committee. In order to afford improvement to naval officers in the scientific branches of their profession, the lords of the Admiralty had come to a determination, that the professor at the Royal Naval College should deliver lectures upon them, in the naval school of architecture, to all such officers as should think proper to attend them. No additional charge would be incurred by the public for this improvement. The naval officers who should think proper to avail themselves of it, would live at their own expense at Portsmouth during the time of the lectures, and would not be en-

titled to any remuneration for it from the public purse.—There was little alteration in the second branch of the estimates, which related to the half-pay, and to the superannuations granted to officers in the military line of the naval service, and to their widows and relatives. The vote to the widows of officers was this year increased; and he was sorry to say was likely to go on increasing. The restrictions which deprived widows of their pensions on their re-marriage had been taken off some years ago, in consequence of suggestions made and supported by that House, an alteration which had led to great increase in this vote, and especially in that part of it which depended on the pensions granted to the widows of the lower officers in the navy. It might be worth considering hereafter, whether the old restrictions ought not to be continued: at the same time he must state, that as the removal of them was forced upon the government, in spite of their remonstrances, it did not become the government spontaneously to renew them. The increase, he ought to state, was from 124,835*l.* to 129,393*l.* The third branch of the estimates, which related to the works of the Yards, was 80,000*l.* less this year than it was last. But before he entered into a detail of its different items, he would just remark, that it was the intention of government to place the widows' fund under a different management from that under which it was placed at present. Great part of the 110,000*l.* which was to be voted for the widows' charity was only voted to make good the deficiency in the funds of the charity voted by the public, for the relief of the widows of commissioned and warrant officers in the royal navy. The deficiency which he had mentioned, was generally made good by placing a fictitious number of men on a ship's books, and by applying the pay of that fictitious number to make good any pensions which might accrue during the year to the widows of any officers who died on board of it. Besides this, there was a sum paid over by the navy agents, from the pay of each naval officer, to say nothing of a small sum of three-pence in the pound taken from the pay of the sailor to make good the same deficiency. Now, this was an awkward way of doing it; and he thought that a sum of money should be voted directly for that object, in order to check the growing expense, to which it

subjected the country.—With respect to the works in the Yards, he had only to observe, that there had been a general diminution in the expense of every item in that branch of the expenditure. There was, however, one new charge in this third part of the estimates: he alluded to the charge of building an engine-house at Portsmouth. This house was required to repair the accidents which were often occurring in the boilers and engines of steam-boats. Great advantage would accrue to the public from the erection of it. At present, if any accident happened to the boilers, there were no means of repairing it, except by sending the steam-boat into the river, a circumstance which prevented its being so readily restored to the service as it might be, were the accident repaired on the spot, and which might at some time be extremely detrimental to the public service. To prevent such an occurrence, it was intended to build an engine-house at Portsmouth, for the purpose of repairing any accidental injury which might befall his majesty's steam-boats. The estimate for this engine-house was 7,600*l*. Though the sum wanted to complete the works at Sheerness was 156,000*l*., it was not intended to take any sum on that account this year. The works there were now out of danger; the docks, basins, and sea-walls were sufficiently advanced to be safe against all attacks of waves and weather; and if an emergency should arise, the storehouses for the service of the yard might be run up in a very short time. It was not intended to run up at present the storehouses for the ordnance; and the money already voted for those works was quite sufficient to keep them in repair. The charge for the purchase of provisions for troops and garrisons on foreign stations was this year 275,000*l*., which was greater than it was last year, owing to the increased price of provisions. He trusted, however, that there would be a reduction in this item next year, as also in the expenses of the Transport Board, which had been considerably reduced already. He had now gone through the whole of the Navy Estimates, and he was happy to say that the charge of this year was less than the charge for last year by 117,000*l*. He would now move, "That thirty thousand men be employed for the Sea Service for thirteen lunar months from the 1st of January, 1829, including nine thousand Marines."

Mr. Hume said, he could not find that satisfaction which many gentlemen appeared to experience, at hearing the magnificent promises in which the hon. member had indulged, respecting the reductions which the Lords of the Admiralty intended to make in the Navy Estimates in future. If he could credit those promises, it would be well; but he had now had some experience in parliament, and he saw that whilst every year ministers promised the country reduction after reduction, the country gained nothing but increase after increase of its expenses. He had therefore come to this conclusion, that promises he would avoid, and reduction he would prefer. He was not unreasonable in this respect, seeing, as he had, that the country had on every occasion been disappointed in the expectations which those promises had excited. Every year, when the estimates were brought forward, he had said that reductions ought to be made in them, and that greater reductions could be made in the navy estimates than in any others. That, too, was the result at which the Finance Committee had arrived after long and laborious inquiries, in which they were materially assisted by the officers connected with the naval departments, who gave their evidence with a plainness and an impartiality to which he would take that opportunity of doing justice. Every member of the Finance Committee would recollect that the impression made upon them by the evidence which they took was, that very great reduction could be made in this department of the public expenditure. He had complained of the members of the Finance Committee, and he thought they would now admit that he complained with justice—for thinking it unnecessary to make a report last session, recommending reductions in those estimates and for supposing that the presenting the evidence which they had taken, respecting their expediency, would have as great an effect upon ministers as the recommendations of their report. Reductions ought to have been made in the Pay-office, and in the Navy-office, but especially in the Dock-yards. He had heard it said, that the duke of Wellington intended to clear this board and that of its supernumeraries, and that he would get rid of all but the working bees from all the public offices. Judge, then, of his surprise, at finding that there was to be no greater reduction in the navy estimates this year than one of

117,000*l.*; and that, too, as the hon. baronet had stated fairly enough, was made up of 40,000*l.* saved in stores, and of 80,000*l.* for works, which it was not intended to finish. He did not see any reason for spinning out the erection of public works for years, as was done with the Breakwater at Plymouth; the best plan was to go to the expense at once, which would prove a great saving to the public. With regard to the amount of our force, he would only observe that we had last year thirty thousand two hundred and fifty four men employed in the navy, and that it appeared from the evidence of sir G. Cockburn, that we ought not to have more than twenty thousand or twenty one thousand men, unless we were in a state of warfare. The vote now proposed would, if carried, compel the House to keep up the naval establishments for this year at an expense of 5,800,000*l.* He thought that a force of thirty thousand men was at present unnecessary, and that the navy was placed in a very awkward situation, owing to its having two thousand seven hundred men of the number voted for it employed in preventing smuggling, and seven hundred more employed in the packet service. He would reduce three thousand two hundred men on this score, and would find a force in another quarter to collect the revenue, and to navigate the packets for the Post-office. We had now nine hundred royal marines; but of this number five thousand eight hundred and thirty three were always employed on shore. If we could reduce the army to that amount, he should not object to keeping up such a force of marines. He would get rid of the number of marines who were so employed on shore, and he could thus reduce nine thousand men without at all crippling the effective force of the navy. We had also two thousand men acting as a sort of police at Lisbon. He did not know what occasion we had for them in Portugal, and he should like to learn, for we had been playing fast and loose with that country for some time past. If we were to place any reliance on the declarations of his Majesty's Speech, we were in a state of profound peace; and we could therefore dispense with a force of ten thousand men less than that which was now proposed, and could return to the number which we kept up in 1823; at which time his majesty promised us a still greater decrease. With respect to the other parts

of our naval establishment, a greater reduction ought also to be made. He entreated the government to stop the manufacture of ships, because there might be a glut of ships as well as of any other article. A large portion of our ships had gone to decay during the peace, and yet we were proceeding to build more. He would not build ships for which we had no present want. He would suppose the tonnage of our navy ought to be 300,000 tons; and he did not think that it ought to be more. We could build that amount of tonnage at 30*l.* a ton, or for nine millions. Now, since the peace, we had expended more than twice that sum in building ships; to say nothing of what we had expended in repairs. The country had therefore been put to an expense as enormous as it was unnecessary. If we had built less ships, we should have had less to repair, and a fewer number to fall into decay. The wages paid to artificers and labourers in his majesty's yards at home amounted this year to 480,000*l.* The charge for timber, stores, and other materials for the building and repair of ships was 759,000*l.*, exclusive of 120,000*l.* received for old naval stores: making in all a sum of 1,359,000*l.* actual expense incurred in 1828 for the manufacture of ships. Such an expenditure was altogether useless. We might save a million in this estimate without diminishing our navy too much. The cost of the yards at home this year was 145,000*l.*, that of the yards abroad 52,000*l.*, and this added to the sum before mentioned formed an aggregate of 1,557,000*l.* Instead of an expenditure of this amount 230,000*l.* was the average cost of building and repairing our ships previous to the French war of 1793. He maintained that the expense of ship-building, &c. might have been reduced to that amount during the last eight or nine years, and a sufficient navy still kept up. As he had before said, a saving of more than a million might thus have been effected. The civil establishments connected with the navy, now cost upwards of 180,000*l.*; before the French war the expense seldom reached 60,000*l.* Here also there was ample room for reduction. The Navy Pay-office would admit of reduction. The business of it could be performed by eight or nine clerks, and a considerable saving might be effected in this way. He was convinced that the Navy-office might be dispensed with altogether: that and the Army Pay-office could be consolidated. The

head of the department had stated before the Finance Committee, that of fifty two clerks employed in it, ten might be dispensed with. Had this been done? If not, where was the disposition to economy for which government claimed credit? The dock yards were on a scale which the state of the country did not warrant. It was admitted, that we did not want the number of men employed at present in them. Why then, retain such a number of men? Why keep up so many yards at an expense of 145,000*l.*, when formerly the cost of this branch did not exceed 25,000*l.* It might be reduced by one half. According to the evidence of Mr. J. Barrow, before the Finance Committee, and it must be admitted he was a most competent and intelligent witness, the expense of superintendence in the king's yards was greatly above that of private establishments. Whilst 550,000*l.* was the whole amount paid for labour, a sum of 155,000*l.* was paid to clerks and superintendents, being nearly in the proportion of one to four. The victualling establishment was much too expensive. We had now arrived at a time when so heavy an expenditure as that of this department, amounting to 64,000*l.*, should not be maintained. It ought to be converted into a store branch. There was not one article provided by the Victualling-board, which could not be provided by contract as good, and cheaper than at present. Government should cease to be the manufacturer of any one article that could be procured in the country in the ordinary manner. He thought it very hard that the navy should be mixed up with other branches of the public service, and all under the colour of naval expenditure. He would have every article placed under the proper account. We might thus reduce and weed the navy estimates, so as to diminish them by a million and a half or two millions sterling. He begged pardon for having troubled the House at so much length; but when he heard credit taken for reductions which had not been effected, and when expectations were held out that were not realized, he could not resist the disposition he felt to state the plain facts of the case, and deliver his candid opinion upon them. In doing so, he did not wish to say anything through ill-will or needless jealousy. He had no desire to bring groundless charges against his majesty's government. What he had said was dictated by a desire to save the public money.

Sir Byam Martin said, he was quite at a loss to conjecture when the navy estimates would be low enough to obtain any approbation from the hon. member. The gross amount of the estimates this year was 5,878,000*l.* But deductions were to be made from this sum on account of superannuations, Greenwich Hospital, transports, &c. to the amount of 2,160,000*l.* leaving a balance of only 3,718,000*l.* to defray all the expenses incidental to the navy. This included the cost of building and repairing ships, of pay, provisions, victualling, &c. The hon. member objected to the increased expense of the civil departments of the navy, as compared with the cost of those branches of the public service previous to 1793. But the hon. member should have taken into account the immense increase of business in those departments. With respect to the expense of superintendence, he was at a loss to imagine where Mr. Barrow had discovered the circumstances on which he founded his conclusions. He was acquainted with a respectable firm of ship-builders, in which salaries of 881*l.* per annum were paid to three foremen who superintended 140 working men. This was exclusive of the exertions of the two partners, who were themselves practical ship-builders. In the king's yards there were seven master shipwrights, besides masters, attendant storekeepers, timber and store receivers, timber converters, &c., receiving in wages 37,380*l.* annually. The conclusion to which he had come was, that the superintendents in private yards were to the workmen in the proportion of one to twenty-four, while in the king's yards they were only as one to thirty-six. Mr. Barrow included the pay of clerks in his estimate of the cost of superintendence in his majesty's yards. Now he (sir B. Martin) omitted that item of expense altogether in his calculation, and for this reason, that the clerks in the dock-yards had to do with ships abroad as well as with naval expenses at home, and were necessary to the transactions constantly taking place in an establishment where there were thirty thousand seamen. As a reason for the increased amount payable on account of wages now, as compared with the sum paid for the same purpose in 1792, we should consider that the price of provisions had doubled since that period. This alone afforded a satisfactory reason why a larger sum than formerly should now be paid in wages and for stores.

Mr. *Maberly* said, it mattered not whether or not, as had been stated by the hon. and gallant member, the expenses of the navy (strictly speaking) were 3,800,000*l.*, and the remaining 2,000,000*l.* was for other purposes. The question for the House to consider was—were these expenses necessary? could any part, and if so what portion, of them be diminished? Let the House look at the evidence taken before the Finance Committee in 1828, as regarded our naval establishments. It was so clear that no one could misunderstand it; and it was equally candid. From that evidence he had formed his opinion; which, founded as it was on the best authority, did not admit of a doubt. It appeared to him, that a great reduction ought to take place in the amount of men attached to the navy. In the present peaceful and settled state of things, why should we keep up a force of thirty thousand seamen, when twenty thousand were amply sufficient? If we were really in a tranquil state,—if we enjoyed not merely peace but a likelihood of its continuance,—we ought not to have such a number of seamen. If, as sir G. Cockburn said, when giving his evidence before the Finance Committee, twenty thousand seamen were sufficient in time of peace, and if, as the right hon. Secretary for the Home Department assured the House, we were in a state of profound peace, then we had ten thousand men too many in our navy.—It appeared to him, that a large reduction should be made in the public offices connected with the navy. The expense of the Navy Pay office ought to be diminished. A consolidation would be desirable in several departments. It was stated, that we had as many ships as could be required, and that the men in the yards were reduced to five days' work in the week. A reduction, and of a more decided nature than this, should have taken place long ago. Ships were built unnecessarily, and kept up at a large cost. He gave the gallant admiral full credit for a sincere desire to reduce our naval establishment, but was sure that the reductions had not kept pace with the gallant officer's wishes. He was aware it was often a difficult thing to effect reductions; but when pledges were made they ought to be fulfilled. It was difficult for persons in authority to make up their minds to get rid of men, although they might be superfluous. However, they ought to be discharged, and not kept up

at a large expense to the country. He deprecated the practice of retaining shipwrights whom we might or might not happen to want years hence. Government could always command a supply of workmen from private yards, whenever their services should be required. Under such circumstances it was unnecessary to continue giving partial employment to men whom we did not require at the present moment, for the sake of securing their future services. More yards were also kept up than were at all necessary. There should be a considerable reduction in the number. He was now speaking according to the evidence of the best-informed persons. Ships we had in abundance; and when the large ships at present on the stocks were finished, there should be a reduction in stores and other things. We should also reduce the number of men employed in the yards. He anticipated that next year there would be large and extensive reductions in the naval department. With respect to the proportion existing in the king's yards, between the persons engaged in superintendence and those employed in the labouring department, he could not suppose the gallant admiral to be correct. Mr. Barrow, who gave evidence upon that point, was no inadequate authority; and the result of his testimony was, that we had a super-abundance of overseers and directors in our yards, not only as compared with private yards, but in comparison with other nations. The irresistible conclusion from this gentleman's evidence was, that the cost of superintendence in his majesty's yards was much larger than it ought to be, and that a great saving might be made, in that as well as in other branches of the public service. If the Finance Committee had sat this year and reported with regard to the navy, he had no doubt it would have recommended a larger reduction in it, than in any other department.

Sir *George Cockburn* said, that as his evidence had been alluded to, and as several members of the Finance Committee were present, he felt desirous of making an observation or two with respect to what he had stated last year, when examined before the committee. It was with great reluctance, and under a feeling of considerable difficulty, that he had given any opinion as to what would be a proper naval establishment for this country to maintain in time of peace. It was only on condition

that he should be allowed to consider the state of peace as being without any chance of interruption, and that there were no piracies to be suppressed, in short, nothing to endanger the public tranquillity or to call for naval exertion, it was only upon these provisos, that, in obedience to what appeared to be the express wish of the committee, he had stated what might be sufficient to keep up the appearance of an effective force in foreign stations. The establishment in the West Indies had been reduced, and the admiral removed off that station, when immediately a complaint was made by the merchants, that the trade of this country was endangered by daring pirates in those seas, which rendered it necessary that the force should be re-established. It was said that there was no necessity for us as a nation to keep the peace of the sea; yet all must feel it was highly beneficial to British trade to do so, and that we must thereby be gainers in the end. By the reduction of the British force off Lisbon, it was intended and expected we should have been able to meet in part the wishes of the advocates of further retrenchment; but that was found inexpedient, because the force off Lisbon was found requisite in the Mediterranean Sea, where two powerful fleets, those of France and Russia, continued to cruise. That the protection of our trade there required an adequate force, no man would deny. All who felt the advantages of peace should recollect, that though we were now at peace with the whole of Europe, the best way to ensure its continuance was to be prepared for war. It was therefore advisable to keep the number of our ships up, lest at the breaking out of a war the enemy should have the start of us. Notwithstanding his deference for the recommendation of the Finance Committee, he would assure their chairman, that we had not a single ship now more than we wanted. In fact, if war broke out, there were not enough either of frigates or of smaller vessels of war. He agreed with the committee, that the number of superintendents, both in the dock-yards and the department in London, was too great. These situations had been narrowly inspected; and though it could not be done in a moment, he pledged himself that a reduction was in contemplation and should be effected. He must again observe that the marines were not too many. They were a most desirable force, and very difficult to raise

on a sudden. Besides, they were at present employed on shore, on garrison duty, and so far rendered regular troops of the line unnecessary, to that amount of force. The principal port for fitting out in future was to be Sheerness, to which place the commissioner was to be removed from Chatham; which port, with that of Woolwich, was to be confined to building vessels of war.

Sir *Henry Parnell* said, he could not, after even what had been said, conceive that there existed a necessity for so great a naval force as that now proposed to be kept up; more especially in the present pacific aspect of our foreign relations.

Mr. *Hume* thought, that a great deal of the expense of the Victualling Office might be got rid of, by permitting the stores to be supplied by contract.

Lord *Althorp* wished to call the attention of the Committee to the business which was actually transacted by the Navy Board, and to the excellent mode of getting through that business. The Navy Board might at present be said to be divided into three departments; the manufacturing, which applied to the building of the ships; the commercial, which applied to the providing stores; and the general accounts. With respect to the estimates, he had at first been somewhat disappointed that there had been no greater reduction; but the right hon. baronet had so fully shewn that, under the present circumstances, it was impossible to make any change, that he did not know that any thing further could at present be said on the subject.

Mr. *Baring* said, that with respect to the amount of the actual force of the navy, the explanations which the Finance Committee had received, and those which had just been given by the right hon. baronet were so satisfactory, that his desire was to see the same extent of force, under the present circumstances, kept up. At the same time, he felt that the naval, like the military and every other establishment, must depend on the means of the country; otherwise it would constitute its weakness instead of its strength. The Finance Committee, it would be remembered, had been appointed under circumstances of financial embarrassment, and therefore it was obliged, either to recommend a reduction in the expenditure, or the imposition of new taxes; but still, looking at the strong European powers which surrounded England,

it did appear to him that it would be inviting aggression, if this country did not shew that she was prepared for an enemy. It was also to be remembered, that, since the year 1793, an entirely new naval power, that of America, had sprung up, and that it was a power which, though small in number, was, in his opinion, more to be watched than any other power in the world. To ensure peace and its concomitant blessings it was necessary to make, even during peace, some sacrifices of a pecuniary nature; so as to be able to shew to other countries that we were prepared in case of aggression for active warfare. He felt, however, that there was still considerable room for improvement in the naval departments. He believed government sincere in its assurances, that it was desirous of carrying into effect the recommendation of the Finance Committee; and he was happy to think that it had fallen into such competent hands. The great evil of the system, and the cause of such extravagant estimates being produced of late years, was to be found in the heavy yearly charge of the dead-weight of this service; which, combined with that of the army, amounted to between five and six millions a year. If the part absorbed by the dead-weight from the navy estimates were abstracted altogether, he believed every calculator would be of opinion, that the charge was extremely moderate for the yearly maintenance of so great a naval force as we had on foot. He looked forward confidently to the intended revision of the expenditure of the public money for such an improvement in the keeping of them as would provide a check against defalcations like that lately brought to light at Greenwich.

Admiral *Evans* said, he could not let that opportunity pass over without remarking upon the unfair application that hon. members made of the phrase "dead-weight." That phrase was used to bring the system of half-pay into disfavour with the public. This was as unjust as it was impolitic; for the public service, in the first place, required efficient officers: to provide efficient officers it was necessary to have a system of promotion; which promotion necessarily created a demand for young officers. In the next place, it was not just to object to the half-pay of old officers, because the service required a succession of young ones. Surely those who had spent their lives in the service of their country were entitled, in the evening of their days,

to an honourable allowance or pay for those services. Honourable members, however, seemed to think otherwise, as if old officers were not to be thought of when their services were no longer available or required. It reminded him of the saying—

"When sailors are wanting, we'll give them bread and beer;

But now the French are beaten, there's nothing more to fear."

He trusted that such would never be the system pursued in this country; for not only gratitude for past services, but a necessary provision for future services, required the present system of half-pay and promotion of naval officers.

Mr. *Hume* said, he did not object to the half-pay of old officers who had seen service, but of young ones who could have had no opportunity of earning a permanent reward from the country. As to the term "dead-weight," it originated with ministers, and was held up by the present lord Goderich, when Chancellor of the Exchequer, as a nostrum against all the abuses of the half-pay system.

The several resolutions, after some further conversation, were agreed to; and the House resumed.

HOUSE OF LORDS.

Monday, March 2.

ROMAN CATHOLIC CLAIMS—PETITIONS FOR AND AGAINST.] The Earl of Falmouth having presented petitions from Bodmin and Lostwithiel against further concessions to the Roman Catholics,

Lord *De Dunstanville* said: I have nothing to observe on these petitions, but I certainly wish to make some remarks on a petition from Redruth, a town only four miles distant from my own residence. This petition was presented by a noble duke, now in his place, on the 9th of February. I did not leave my usual residence till the 6th, and did not know that such a petition was in existence, until I saw it recorded in the votes of the House, and my steward told me, by letter received this day, that he never heard of such a petition until I informed him of it. This petition is signed by from three hundred and fifty to four hundred persons, not six of whom I ever heard of before, though I have almost daily intercourse with the town. The town and parish contain seven thousand, the adjoining parishes Illogan (in which I reside), and Camborne, about twelve thousand. So that from a population of nine-

teen thousand, only about four hundred have signed a petition against conciliatory measures. I have to observe, also, that though from the town of Launceston a petition has been presented, yet when several respectable individuals went to the meeting for the purpose of giving their opinions, they were told it was a private meeting, and therefore withdrew. It is true that a great number of names were, subsequent to the meeting, added to the petition: but every one knows how easy it is to procure signatures by that, perhaps laudable, influence, which every respectable person has in his neighbourhood. Perhaps, even I might have obtained signatures to a petition of a different nature, if I could have condescended to do so; but I most solemnly and unequivocally declare, that though some of my friends and neighbours usually dine with me once a week, whilst in the country, I do not recollect that the great question which agitates us all was ever touched on there. I am quite sure that I never introduced any such question; indeed, a few of my friends have consulted me thereon, and I have, of course, on such occasions, stated my opinions, and the grounds on which it was founded. I have, however, uniformly advised those who consulted me, to read something on both sides of the question before they decided. This advice I gave to the rector of my own parish (a living in my own gift), and I call upon him, a man of honour and integrity, to contradict me if he can. I believe he is adverse to those measures which I approve. It is, I own, a fact, that one of my nephews did, at a meeting at Helston, express himself friendly to conciliation; but I declare, upon my honour, that I did not know what were the sentiments of my relation, or even that he meant to attend the meeting. I hold in my hand two letters from most respectable clergymen, who suppose (certainly erroneously) that I said on Monday last, that the clergy were unanimously adverse to conciliation. I said no such thing; though I did say that I believed a great majority were so. My friend, Mr. Smythe, vicar of St. Austell, informs me, by one of the letters in my hand, that he and four other most respectable clergymen are of a different opinion. Mr. Smythe, my lords, is brother to the Professor of Modern History at Cambridge, and is himself a man of integrity and ability, and a splendid ornament of the established church, to

which he belongs. He mentions also the name of Mr. Fisher, of Roche, as thinking with himself. I have no intimacy with Mr. Fisher, but I knew him to be a most excellent parish priest, of extensive charity, and that he has done more towards civilizing a very extensive parish than any clergyman whom I know. His talents are well known beyond the bounds of Cornwall, and so well known in the county, that he has been trusted with the education of the sons of several of the principal gentlemen; that he is adored by his pupils, and has given great satisfaction to the parents, some of whom hold different political sentiments from those of Mr. Fisher. I shall now read Mr. Smythe's letter;—

“St. Austell, Feb. 26, 1829.

“My dear Lord, in the “*Courier*” of Tuesday your lordship is reported (in all probability very inaccurately) to have said, ‘that the clergy of Cornwall, to a man, were against the Catholics.’ With respect to my own neighbourhood, your lordship will, I know, be happy to hear, that nearly six years ago, Mr. Walker, Mr. Kendall, Mr. Hocker, Mr. Fisher, and myself refused to sign an anti-Catholic petition which was carried about under the highest sanction for the signatures of the clergy. What success the petition met with in other neighbourhoods I know not. There is in no part of England that I am acquainted with a more intelligent middle rank of people than in this little town, and here a large majority of the more independent and intelligent among them are in favour of the final settlement of the Catholic question. Many of the Methodists are coming round, and I am convinced that every day there will be new converts, even among the most violent opponents of the measure. The sound and fury will soon die away, the benefits and blessings of this enlightened act of policy will be felt to distant generations.”

My other letter is from Mr. Grylls, who is not only a clergyman and a scholar, but a gentleman of ancient family and good property. He has lately furnished ample proof of his attachment to the established church, by giving to the ancient and beautiful church of St. Neot's, of which he is the patron, several painted windows, at the expense of nearly 2,000*l.* Perhaps we might say to the exclusive Protestants, ‘go and do likewise.’ This gentleman also mentions the names of four clergymen who think with him. He adds, indeed, Mr. Fisher's name; but as his name is mentioned in my friend Mr. Smythe's letter, I do not include him. Mr. Grylls' letter is as follows:—

“Helston, Feb. 27, 1829.

“My Lord, I beg pardon for this intrusion.

The 'Courier' of last Tuesday evening represented your lordship to have said in the House, 'that the clergy in Cornwall were to a man adverse to any concession to the Catholics.' I presume this to be an error in the print; for myself and two elder sons, Mr. Roger, of Constantine, Mr. H. Wilyams of Brengre, Mr. Fisher of Roche, and I have every reason to think many other very respectable clergymen, are friendly to concession. The mass of the people in this neighbourhood have been taught to believe, that the object in view is the immediate re-establishment of Popery, and that fire and faggot are its inevitable attendant. Perhaps this delusion has been spread elsewhere, but I have not observed it to have been remarked upon in either House of parliament."

The Earl of *Falmouth* said, he felt it necessary to offer a few remarks on what had fallen from his noble friend. With respect to the petitioners, or the mode of getting up the petition, he really knew nothing. He believed that a noble duke near him had made some inquiries on the subject, and had found that the petition was very properly got up. Now, although it was not signed by any great number of the inhabitants, still, from every thing he had heard, he had come to this conclusion, that the feeling of the people in that part of the country was decidedly against the Roman Catholics; and he had yet to learn from his noble friend, that any petition in favour of the Roman Catholics was in contemplation at that place. He had never said, that the clergy of Cornwall were unanimous in their opposition to farther concession to the Catholics. His observation was, that such was the feeling of a vast majority of that class; and he believed that that observation was correct. Nine-tenths of the clergy throughout the country, and he believed more, were, he was convinced, decidedly opposed to any measure of concession. If his noble friend wished to have further proof of the sentiments of the clergy on this subject, let him look to what had recently occurred at Oxford. All the influence and power of a great and liberal aristocracy were exerted in behalf of one of the candidates; and yet, notwithstanding all that influence, the poor clergy came forward in support of the Protestant constitution, and were the principal means of obtaining a victory over a gentleman, who, but for the opinion which he had expressed on this question, was in every respect, as worthy of representing the University as any individual could possibly be. It appeared that nine thousand respectable gentlemen, and other inhabi-

tants of Cornwall, had signed petitions against the Catholic claims; while, on the other hand, no petitions, except the few which his noble friend had presented, were laid before their lordships in favour of concession. His noble friend had observed, that the petition which he (lord Falmouth) was now about to present emanated from a meeting where the majority was only five to four. There were one thousand three hundred names appended to that petition, and he had every reason to believe that the majority at the meeting was infinitely greater than his noble friend had stated, and it was signed by almost the whole neighbourhood. In presenting this petition, he could not avoid noticing what was said to have occurred in another place with reference to petitions which had been sent to parliament from the county of Cornwall. He understood it had been said by an hon. gentleman, that those petitions did not speak the sense of the county, because they were signed by improper persons, and because improper means were resorted to for the purpose of procuring signatures. A more unfortunate theme that hon. gentleman could not have introduced into parliament as the subject of his maiden display, than that which he had chosen. He was informed, that that hon. gentleman had said, that one of those petitions was signed by turnip-stealers. Now, of that sort of gentry he knew nothing, and he left it to those who did to worm their secrets out of them. If such persons had been induced to sign a petition, he was convinced it was at the instigation of some of the radical party. Of these turnip-stealers, he repeated, he knew nothing, but of the magistrates he knew something; and he could assert that, out of fifteen magistrates thirteen had signed the petition alluded to. That was a fact. He had caused an application to be made to the mayor of Truro, and as his noble friend had read an extract from a letter, he should follow his example, and read an extract from the letter he had received in answer to that application. The mayor said, "I was in the hall during the period in which that petition lay for signature, and although I saw a great many persons affix their names to it, I cannot say that I saw any improper persons. Neither can I say that any schoolboys attempted to obtrude themselves. They could hardly do so, when the gentlemen of the town were present all the morning, and when there

were four town serjeants in attendance." So much for that assertion. One letter, he had received, respecting the conduct of the representative of the county, which he would shortly notice. The letter came from one of the most active agents at the last election of that hon. gentleman. The writer said—"With respect to the petition which was presented the other day, signed by upwards of one thousand inhabitants of the middle division of East, I have since looked over the list of resident freeholders of that division, and I find that there are not ten resident freeholders in the division who have not signed the petition against granting further concessions to the Catholics. Several gentlemen attended the meeting, it appeared to those gentlemen to be one of the most unanimous meetings they ever saw assembled. Thanks were given to the mayor for his conduct, and the meeting, by a majority of nearly a hundred to one, declared itself in favour of the petition."

The Bishop of *Bath and Wells*, on presenting a petition from Glastonbury, against any further concession to the Roman Catholics, said, he wished to state what he knew to be the feelings of the people of England, at least of the large majority, towards the measure called Catholic emancipation. The grounds of those feelings were few and obvious. In the first place, the people of this country were strongly attached to the great Protestant principles of civil and religious liberty, and looked back with feelings of intense solicitude and veneration to the era of the Reformation, in which retrospect they could not help contrasting and comparing the reigns of the Protestant queen Elizabeth and the Catholic queen Mary. This comparison compelled them to regard the former reign with gratitude and admiration, the latter with alarm and abhorrence. The people of England also looked back with veneration and gratitude to the glorious Revolution of 1688, and therefore were not desirous to give such additional power to the Catholics, as might endanger the permanence of the principles of that Revolution, and thereby the existence of the Protestant institutions of the country in church and state. In the next place, the people of England were a loyal people, and as such, naturally held the memory of the late illustrious and truly Protestant monarch of these realms in the most grateful recollection. They

justly felt, that if any event more than another in the long reign of George the Third—one of the longest in our annals—endeared that monarch to his subjects, it was his devoted attachment to the Protestant interests of the country. They also, for the same reasons, revered the memory of his royal highness the late duke of York, the inflexible opponent to the admission of the Roman Catholics to full power in the state. The people of England could not consent to the admission of the Catholics to a political equality with the Protestants, because they could not consent to the existence of an *imperium in imperio*, and did not wish to sanction the authority of a foreign potentate in these realms. In the next place, the people of England were a religious people, and as such, strongly attached to the pure form of Christianity established in this country, to which they looked for the means of moral and religious instruction here, and through that for the reward of good conduct hereafter. They considered that, if the Catholics were admitted to a greater share than they at present possessed of the political power of the state, the Protestant religious establishments would be endangered, perhaps subverted, and Popery superinduced; and, therefore, were strongly opposed to any additional concession to that body. These were the opinions, he maintained, of a large majority of the people of England, with which, he begged leave to add, his own entirely concurred. No man, more than he did, commiserated the unhappy condition of the people of Ireland,—no man more deeply lamented the evils which afflicted that ill-fated country. But he contended, that that condition would not be bettered, nor those evils removed, by granting the measure called Catholic emancipation. He did not mean to say, that circumstances might not occur in the condition of Ireland, which might induce him to acquiesce in that measure; but he denied that those circumstances were then existing, or were likely to be created by the intended concession of the Catholic claims. Before that concession was granted, other means should be devised to improve the state of that country; the minds of the inhabitants must be more cultivated, their morals improved, their habits altered. When these desirable results had been attained, emancipation might perhaps be granted, but not till then. Until then, the ad-

mission of the Catholics to the entire political benefits of the constitution would be, in his mind, putting a weapon into their hands, which they would turn against the Protestants. Before he sat down, he wished to state, that he thought the opponents of the Catholic claims were not in some points fairly dealt with. Their lordships had heard much of the dangerous power and influence of the Catholic Association: the evils and mischief of that body had been admitted on all hands. Indeed, he had heard admissions of that body having had an *in terrorem* influence from quarters whence he least expected them. The noble duke at the head of the government, for example, had stated to their lordships, that he had been long aware of the evil tendency of that Association; and yet, strange to say, he had not attempted to put an end to it; though it was evident, if it were necessary to put down the Association as an evil in itself, the sooner it was done the better. As for himself, if so humble an individual might be permitted to obtrude his personal feelings upon their lordships' notice, he would only say, that he would approach the discussion of the intended measure free from all prejudice and party bias. He owed no favour to any man; he expected no favour; and would discharge his duty conscientiously, to the best of his ability. He solemnly declared, that sooner than consent to a measure which he thought would tend to subvert the Protestant establishments of the country, and foster the growth of Popery, he would imitate the conduct of a great predecessor of his in the days of papal persecution, and be committed to the Tower, there to undergo any punishment. As a peer of that House, he had taken an oath, with which the granting of the Catholic claims appeared to him to be incompatible. "That oath," said the right reverend prelate, "I will keep, come what may, so help me God!"

The Duke of Wellington said, he felt it to be his duty not to let the last observation of the right rev. prelate pass unnoticed. The right rev. prelate stated, that he had taken an oath with which concession to the Catholics appeared to him to come in collision. He begged leave to assure the right rev. prelate, that the bill hereafter to be introduced into the other House of parliament, and subsequently to come under the discussion of their lordships, would be perfectly free from the least encroachment on

existing institutions, and would not at all interfere with the oaths taken by the right rev. prelate and other members of that House. It was not necessary for him to state then, the precise scope and nature of that bill, nor to say more than to assure the right rev. prelate and their lordships, that it would not touch upon the integrity of the Protestant establishments of the country, nor upon the existing securities for that integrity in any way whatsoever. The right rev. prelate objected to what was called Catholic emancipation, because he seemed to consider that measure to be synonymous with the establishment of Popery in this country. And yet the right rev. prelate admitted, that circumstances might occur in the condition of Ireland, which would induce him to acquiesce in concession. Now, he begged leave to ask the right rev. prelate, if he considered that Catholic emancipation was in other words the establishment of Popery, how he could agree to it under any circumstances? If, he repeated, Catholic emancipation were, under all circumstances, as the right rev. prelate had alleged, synonymous with the establishment of Popery, how could he consistently say, that circumstances might occur which would induce him to accede to it? What were the circumstances in which the right rev. prelate was willing to consent to what he said, would be the establishment of Popery in this country? The right rev. prelate imitated the tone assumed by a noble duke in speaking of the intended measures, as if they were of a nature which no sensible man knew, neither he (the duke of Wellington) nor any man in that House would consent to. Now, he engaged to prove, when those measures, which would shortly be submitted to the other, and subsequently to that House of parliament, were before their lordships, that so far from tending to establish, they would prevent the growth of Popery, and promote the extension of the Protestant religion. He engaged to prove, that those measures would check the increase of the Catholics, while they would tend to add to the numbers of the Protestants. He engaged to prove this, if not to the satisfaction of the right rev. prelate, to that of their lordships. He entirely agreed with the sentiments expressed by the right rev. prelate, concerning the loyal and religious feelings of the people of England. As an expression of those feelings, he rejoiced in the number of petitions that

had been presented to their lordships, from, he was sorry to say, mistaken views of the nature of the intended measure of government. The people were insidiously led to believe, that those measures were for the establishment of Popery, and the destruction of the Protestant establishment of the country; and, acting very properly on this unfounded delusion, petitioned against them. But while he admired and rejoiced in the excellent motives which induced the people of this country, in many places, to protest against the intended measures of the government, he hoped that when they saw that those measures were not of the dangerous nature ascribed to them, and that they tended, so far from establishing Popery to check and prevent its growth, and to promote the influence of the Protestant religion in Ireland,—he hoped, he said, the people of England would, in their conduct, evince that loyalty to the Crown, whence the recommendation of the measure had emanated, and that confidence in the wisdom of parliament, which had ever honourably distinguished them. Indeed, he was convinced, that when the people of England saw there was no fear of the extension of Popery from the measures which ministers felt it to be their duty to recommend to their sovereign, but that, on the contrary, they would lead to strengthen the Protestant interests of the state, they would hail those measures as beneficial to all classes.

The Bishop of *Bath and Wells*, in explanation, begged leave to disclaim having imputed so absurd a design to the originators of the intended measures as that of wishing to establish Popery in the country. Nothing could be further from his mind;—in fact, nothing could be more absurd than such an imputation. He was glad to hear from the noble duke, that these measures would be perfectly consistent with the taking of the oath to which he had alluded. Indeed, if they were of the nature described by the noble duke, they would be hailed by him, and he was sure by the country at large, as a happy omen for the Protestant establishments in Church and State.

Lord *King* said, that the right rev. prelate had forgotten to mention one little circumstance connected with the petitions he had presented. The right rev. prelate had early prophesied, that he would have to present a petition against the Catholics

from every parish in Somersetshire. He certainly had verified his prophecy; but in his denunciation of Popery and the Jesuits, he had omitted to mention the worse than Jesuitical arts by which he was enabled to prove himself a true prophet. The right rev. prelate had forgotten to mention the enticing arts practised to obtain anti-Catholic signatures. He had not spoken of the alluring sign of murder by which the no-Popery zeal of his petitioners was roused and attracted. [Hear, and a laugh.] “Murder,” in letters so large, that not only those who ran might read, but those who could not read, might learn to spell by, was the usual sign for the no-Popery petitions. And what murder? Why, the names and numbers of those convicted and executed in 1684 by Judge Jefferies in his celebrated western campaign. Those “murders” of 1684 were quoted as arguments, against the intended measures of the government in 1829. There was something of historical ingenuity in the getting up these “murder” arguments. In Frome, for example, Jefferies had sentenced twelve persons to be executed for aiding in the duke of Monmouth’s rebellion. The names of those convicted were accordingly placarded as the victims of the Protestant religion to the tyranny of the church of Rome; and the yeomanry were asked, would they like to undergo similar punishment;—and if not, to sign the no-Popery petitions. In like manner the same worse than Jesuitical arts were had recourse to in Taunton, where six persons had been also in 1684 executed; in Chippenham, where thirteen, and in Yeovil, where six persons had been executed. He had read also in the papers other appeals that had been made with the same view. For instance, the petitioners were told, if Catholic emancipation were granted, that they might bid farewell to their Bibles, their hymn-books, and their books of Common Prayer, and prepare for the abominations of the mass, and the Pope, and what not. Even that was not enough, for placards were hawked about with the irresistible appeal to the Protestant zeal of the men of Somersetshire,—“No-Popery. Englishmen, remember the religion of the Edinburgh murderer.” Thus the atrocities of Burke were made auxiliaries to obtaining anti-Catholic petitions. Now, he asked their lordships, whether the Jesuits ever practised more disgraceful arts to attain their

ends, than those which he had just pointed out as having been successfully used in Somersetshire? Surely with such arts, there could be no lack of petitions on any subject.

Viscount *Melbourne* thought, that noble lords would best consult the object they had at heart by abstaining from all premature discussion that was likely to call forth angry feelings. He was surprised that the right rev. prelate could have ventured to say, that the Catholics invariably employed every civil power intrusted to them to the subversion of the Protestant institutions of the country. Had the Catholics of Ireland used the power granted to them in 1793 to any other than constitutional uses? Had they attempted to overturn the Established Church? When the right rev. prelate spoke of the feelings with which the people of England regarded the reign of Elizabeth, did he forget that in that reign Catholics sat in parliament, to which they were not rendered ineligible until the 30th of Charles II.? There was no doubt that the revolution of 1688 was justly dear to Englishmen; but there was as little doubt that the intended measures of ministers were but the completion and perfection of that glorious measure. It might have been then expedient to exclude the Catholics from civil power; but no just ground of exclusion existed at present. On the contrary, policy as well as justice united in recommending concession as likely to strengthen the Protestant interests, by depriving the Catholic religion of the tie which oppression and the honour of not adopting a lucrative creed gave it over its professors. The respect which all Englishmen must feel for the memory of his late Majesty and the duke of York should not prevent them from doing justice to the Catholics, by admitting them to the full benefits of the constitution.

The Duke of *Richmond* presented a petition from Brighton, signed by three thousand seven hundred and eighty-five respectable inhabitants, against further concessions to the Roman Catholics.

The Duke of *Sussex* said, he had a counter-petition to present from the same place. It was not so numerously signed, but it was got up in a less objectionable manner. He had been informed that the majority of the signatures to the petition just presented by the noble duke were consequent on a no-Popery cry, that had

been successfully raised by some interested zealots. He was also informed, that many of the petitioners could not write, and were obliged to annex their cross. Whole schools had signed the petition, and many of the signatures were by the same hand under different names. He was not one to object to the right of petitioning; but he must object to receiving such petitions, as expressive of the sentiments of the people of this country.

The Duke of *Richmond* stated, that the petition was put into his hands by the high constable, and had among its signatures the name of the vicar of the place. He was also enabled to state, that there was not a single cross in the whole list of signatures. He thought the course pursued by noble lords of impugning the motives of those who signed petitions not in unison with their own sentiments, was calculated to injure the cause which those noble lords intended to advance. He thought that when noble lords made statements not founded in fact, the most parliamentary mode of proceeding would be to state the informant on whose authority they made them. He hoped noble lords would see, from the number of petitions presented against the Catholics, that the feelings of the people of England were hostile to the intended measures of ministers.

CALL OF THE HOUSE.] The Duke of *Newcastle* said :—I rise my lords, to give notice, that it is my intention to move a Call of your Lordships' House whenever the day may be fixed for bringing into this House the Bill, which I shall designate a Bill for oppressing and injuring the King, and for introducing Popery and arbitrary power. I shall do this, my lords, in order that every peer may be a personal witness of the degradation to which it is intended to expose him; and that he may be enabled to judge, on his own responsibility, whether it be wise and fitting that he should tamely or blindly submit to be led by the inconsiderate or ambitious will of any member of this House, who may seek to trifle with our religion, to trample upon our liberties, and to overthrow our Protestant constitution.

The Duke of *Sussex* said, he felt himself called upon to give the noble duke full credit for the sincerity of his mode of treating this question; but he thought that the noble duke, in throwing out in-

situations as to the principle or motive of any noble peer, acted in a way that was irregular, and almost unconstitutional. He had heard strong words used by the noble duke in the House, he had been told of extraordinary actions performed by the noble duke out of the House, and he had seen some extraordinary productions which the noble duke had sent forth; but he could not bring himself to believe, that the House of Lords would sit calmly when they heard the degradation of his majesty, and the subversion of the constitution, charged as the object which one of its members had in view. He was convinced that the House would not allow the noble duke to go on with such an accusation, but would call on the noble duke to prove that any such motive existed. He was sure that the bishops, whatever their feelings might be on this question, would not suffer his majesty to be thus alluded to in the House of Lords. He should now touch on a point which had been noticed—he meant the recent election for the University of Oxford. Of the manner in which it had been carried he knew nothing; but this he did know, that when he saw six hundred and nine honest men coming forward, notwithstanding all the efforts which were made to put down free discussion, and voting for the unsuccessful candidate—when he saw this, he could not avoid saying, that, in his opinion, they had done themselves and the University the highest honour. With respect to the other University, of which he had the honour to be a member, and on the records of which his name was enrolled, its members had the courage and the power to put down the petition which had been attempted to be foisted on them. He understood that two gentlemen, church dignitaries, met at the time the petition was in agitation. One said, he never would support any measure of concession; the other, with equal decision, declared that he would. Why, demanded the opponent of the Catholic question, did you never see so mischievous a book as that written by a bloody Roman Catholic entitled “Killing no Murder”—a book which almost every one knew, was the production of a strong Calvinistic writer; yet this clergyman wanted, through ignorance or misconception, to refer it to the Roman Catholics. The ignorance of many individuals on this subject, and the malignity with which they sent forth their

opinions, were really surprising. They ought not to indulge in suspicions of the legislature, but ought to look to the calmness, to the honour, and to the wisdom of that House, for the due support of the constitution. It should be left to parliament to examine and to see what was best to be done; but to attempt to cast censure on the noble duke—to impute mischievous motives to him—was most irregular and most imprudent.

The Duke of *Newcastle* said, he should be sorry to utter any thing that could displease the royal duke; but he must in that House be allowed the freedom of fully declaring his sentiments. He defied any noble lord to prove that he had done any thing wrong, either there or elsewhere. He was anxious to preserve the constitution, which he saw threatened. He stood on that ground, and it was strong ground. He had never brought before the House any thing that was disgraceful to himself, and he never would. He had but one word more to say, and it was this.—Ever since he had heard of this recommendation, he had applied his mind seriously to the subject, but his opinion remained unchanged. He would farther say, that no strong words, intended to put him down, or to prevent him from doing his duty, should succeed; for he would persevere for the salvation of the country, and to prevent all inroads on the constitution.

HOUSE OF COMMONS.

Monday, March 2.

ROMAN CATHOLIC CLAIMS—PETITIONS FOR AND AGAINST.] The Marquis of *Chandos* rose to present a Petition from nearly three hundred junior members of the University of Oxford, who were Bachelors of Art and Under-graduates. The Petition prayed that no further concessions might be granted to the Roman Catholics. He felt much gratification in being able to communicate to the House the independent feeling which animated this distinguished body of men, and he trusted their prayer would be attended to. The petitioners stated, that they were impressed with a sense of the great danger to which the constitution, as established in 1688, would be exposed, by any alteration of those laws which excluded persons professing the doctrine of the Church of Rome from the possession of political power.

Mr. *Brougham* wished to ask the noble marquis how many individuals there were belonging to the body of bachelors of art and under-graduates, of which the three hundred who signed the present petition were part?

The Marquis of *Chandos* was not prepared to answer the question.

Dr. *Phillimore* believed that the number of bachelors of art and under-graduates at Oxford amounted to about three thousand, and that the majority were strongly in favour of Catholic emancipation.

Mr. *Estcourt* believed, that his learned friend had not over-rated the number of the bachelors of art and under-graduates; but when he stated, that that body were notoriously the friends of Catholic emancipation, he must beg leave to doubt the statement. Where was the proof of it? Of their hostility to it there was proof on the table; namely, the petition just presented by the noble marquis; and that was much better than the bare assertion of the learned gentleman.

Mr. *Duncombe* presented a similar petition from Sheffield and the vicinity. The hon. member stated, that the petition was signed by upwards of thirty thousand persons, of whom very few were under the age of twenty-one. It was unnecessary for him to state that his sentiments were entirely in concurrence with the prayer of the petition.

Mr. *Marshall* said, that by the last census, the number of inhabitants in Sheffield was taken at fifty thousand.

Mr. *Duncombe* reminded the hon. member, that he had stated the petition proceeded from Sheffield and its neighbourhood.

Mr. *Marshall* said, that the petition had been got up by a committee composed of Methodist preachers and clergymen of the Established Church. A public meeting had been held in Sheffield, at which a petition was carried in favour of emancipation. That petition had obtained about seven thousand signatures. The petition now presented had been hawked about for signatures; and had been signed by woman, children, prisoners in the gaol, and vagrant mendicants.

Mr. *Duncombe* begged leave to say, that the petition was agreed to at a public meeting, although he would allow it was not held in the open air, but in the town-hall. His hon. colleague had stated, that the prisoners in gaol had signed the

petition. The fact was this—the debtors in the gaol expressed a desire to sign the petition. It was sent to them for that purpose, and they signed it; but on consideration their names were withdrawn. He must say, that there had of late been manifested on the part of some honourable members opposite, a most extraordinary disposition to cry down petitions, to undervalue their importance, and to show that they did not represent the feelings of the people of England. He would never consent to hear any petition which he believed to represent the conscientious and unbiassed opinions of the people of England on any subject to be cried down; which he conceived to be the object of his hon. colleague's speech.

Lord *Milton* said, he was not disposed to cry down any petitions, least of all one which proceeded from so respectable a body as those who had signed that now before the House. He merely rose to put the hon. member right with respect to one or two circumstances which, in his great zeal, appeared to have escaped his recollection. The petition was certainly most respectably signed; but it originated in a different manner from the one which he had presented from the same town last week. The meeting at which the present petition originated certainly was not a public one. His knowledge of the fact was derived from a person who went to the meeting for the purpose of opposing the proceedings, but was told that no one who did not intend to support the petition would be allowed to take part in the meeting. That appeared to constitute the difference between a public and a private meeting.

Mr. *Kekewich* presented a similar petition from the city of Exeter. The hon. member stated that, though he felt it his duty to present these petitions, he should come to the consideration of the great question to which they referred with a disposition to give effect to the recommendation of his majesty.

Mr. *W. Peel* presented a similar petition from Tamworth. The hon. member said, that in the latter part of the prayer of the petition he cordially concurred; but he must express his conviction that the effect of the measures about to be introduced by his majesty's government would be, not to destroy, but to preserve the Protestant constitution. Many respectable inhabitants of Tamworth had abstained from

signing the petition; and he had received letters from some of his constituents, stating that they were disposed to place implicit confidence in parliament, and would not believe that government would propose any measure which would endanger the constitution.

Colonel *Sibthorp* presented several petitions against any further concessions to the Roman Catholics, which the House, he said, would find well worthy of its attention, emanating as they did from most respectable bodies of his constituents. One of these petitions set forth, that at this crisis it was the duty of every Englishman to lift up his voice in defence of our dearest privileges. Another stated, that the petitioners yielded to none in real Christian charity and toleration, but declared their conviction, that the Catholics were already in possession of the uninterrupted exercise of their religion, and of all the other privileges that they could by possibility desire. Another petition viewed with fear and trembling every attempt to introduce members of the church of Rome (a church so intolerant to all others) into our Protestant constitution. Another hoped that that House would firmly persevere in resisting the claims of the Catholics, as the only means of securing the throne to the Protestant monarch, and their religion to the petitioners. Another stated that the petitioners had been thrown into the greatest state of alarm by the report that the Roman Catholics were about to be admitted into the legislature and the government of the country. All these petitions came from persons of real John Bull feeling; and, as an agriculturist, he would say, that their desire was to have the real British breed, and no cross one from the Popish.

Mr. *Houldsworth* presented similar petitions from Brixham, Clifton, Dartmouth, and other districts of the county of Devon. All these petitions, with the exception of that from Brixham, had been got up before the commencement of the present session, that from Brixham had grown out of the change which had taken place in the sentiments of his majesty's government. The stone on which king William stepped when he landed in this country was still preserved at Brixham. It was not extraordinary, therefore, that the inhabitants of that town should feel that they had an hereditary interest in the constitution secured by the glorious revolution.

Mr. *Bastard* bore testimony to the respectability of the petitioners, and fully concurring in the sentiments expressed by them, felt it his duty to give to their petition his warmest support.

General *Archdall* presented similar petitions from Brookborough, and from Belnalach, in the county of Fermanagh. He expected, in a few days, to lay before the House one of great magnitude, containing the unanimous voice of the Protestant inhabitants of that county. He could assure the House, that the Protestants of the north of Ireland would not tamely submit to what, if the proposed measure passed, would be Popish ascendancy. Their forefathers suffered severely in the year 1641; and during the Popish reign of James the Second, they fought, and were particularly instrumental in establishing that constitution which placed the house of Brunswick on the throne of these realms. They were again willing to fight, and he had no doubt would be again victorious; notwithstanding the disparity of numbers and the encouragement that had been given to Popery in Ireland. There was one right hon. member of his majesty's government whom they particularly looked up to for protection and support; but their confidence in him was destroyed. They were in despair;—he might say desperate.

Mr. *Bransby Cooper* presented a similar petition from the city of Gloucester and its environs; the petition was numerously and respectably signed. It would be found impossible to suppress the spirit and enthusiasm in which that petition had originated, and which so universally prevailed. So anxious were the inhabitants to sign it, that, in the course of two days, one thousand three hundred signatures were attached to it, and the number was now upwards of two thousand five hundred.

General *Gascoyne* said, he rose to present a petition from a place which, though second to none in commercial and manufacturing importance, had nevertheless no representatives in that House. The petition was from the inhabitants of Manchester, Salford, and their vicinity. It was signed by twenty-two thousand of the inhabitants, including the magistrates, the warden, and fifty clergymen; and the signatures were so easily obtained, that people crowded to sign. When an opportunity was taken of sending the petition

for signatures to the different streets, they found the people ready to sign, almost without being solicited [a laugh]. Gentlemen need not quibble upon the word "almost," for it was not to be supposed that persons would sign until they were told what was the nature of the petition. He would state with confidence that this petition, of all those which had ever been presented to that House, was one of the most regular, with respect to the way it was got up and signed, and might serve as a pattern to all petitions from large towns in future; for it contained not only the names of the parties, but their professions, and the name of the street, and the number of the house in which they resided. He had closely examined the names contained in five of the hundred and thirteen sheets of signatures, and he did not see one which he could suppose to be that of a female [a laugh]. At the same time he must add, that he saw no objection to the signatures of females to such petitions; for they were as much interested in this important subject as the other sex. The petition contained the unequivocal opinions of four-fifths of the population of Manchester and its neighbourhood; and whatever might be said of the probability of getting a counter-petition, he would assert that it would be impossible to get up such a petition with one-third of the number of signatures appended to that which he now presented. The petitioners stated, that on several recent occasions the power of the Catholic priests in Ireland over their deluded congregations had been exercised in a manner highly prejudicial to the constitutional interests of the country; and they added, that if power were given to the Roman Catholics, it could not be exercised with safety to the state. They also complained of the great mischiefs created by the Catholic Association, and they prayed that it might be so put down, as that it could never again raise its head to the injury of the country. They also prayed that no further political power might be granted to the Catholics. He had been informed, that, in another place, it had been stated, that the signatures to this petition had been swelled by those of boys from charity-schools and other places, but he had no hesitation in saying that such a statement was without foundation.

Sir George Philips said, he had no wish to detract from the merit of any petition

respectfully drawn up, from whatever quarter it might come, and certainly none to lessen the just weight of that before the House; but when the gallant general claimed for it an authority to which it was not entitled, he felt it necessary to say a few words, and give to the House such information as he possessed with respect to it. Though the petition was signed by twenty-two thousand persons, he could state that it did not represent the opinions of the educated portion of the inhabitants of Manchester, nor of the majority of the manufacturing population. This petition, which it was said all were so anxious to sign, was the elaborate production of more than a quarter of a year. A requisition was signed for it on the 22nd of November last, to which were affixed the names of five hundred and six laymen and forty-four of the clergy. It pointed out what it described would be the injurious effects of admitting the Catholics to further political power, and it called on those who entertained similar views to meet on a certain day to deliver their sentiments on that subject. This requisition was met by a counter-declaration, signed by four hundred and thirty-one of the most respectable inhabitants of Manchester, whether considered with reference to property, intelligence, or influence; and though he admitted that amongst the five hundred and six individuals and the forty-four clergy there were some highly respectable names, yet there were others, and a large portion too, whom he had never heard of before, and who, he believed, were equally unknown to those who were much better acquainted with Manchester than he was. This, however, he could state with confidence,—that the signatures to the requisition bore no comparison, in point of property, intelligence, or influence, to those appended to the counter-declaration; and he was certain that the petitioners themselves were of the same opinion, for the four hundred and thirty-one names appended to that declaration represented property to the amount of four millions of money. The gentlemen who signed that declaration having ascertained that the great majority of the property and influence of the town, and a very large portion, if not the majority, even of the working classes, were in favour of the view they took of the question, wished to take no step in the way of petitioning, but were satisfied to leave the whole to the wisdom of parliament; and in this they

were justified by what took place at the public meeting in 1825, when they beat their opponents, five to one, on this very question. That the feeling in favour of concession had increased since then, there could be no doubt; for many who were at that time adverse to it were now its advocates, and many others who had also been opposed to it were at present neutral. The meeting called for by the requisition took place on the 24th November, and great pains were taken to prevent the attendance of any but those who were of the same opinion as the requisitionists. For this purpose police-officers were stationed at the doors; but notwithstanding all the pains taken, the meeting did not consist of more than five hundred or six hundred, and the thing went off in the most vapid and spiritless manner. The only thing which gave it animation for a time, was the attempt of a gentleman to vindicate the Catholics from some aspersions which had been cast upon them. When this gentleman rose, the chairman of the meeting—and here he might state, that none of the local authorities would preside, as not approving of the meeting, but the chairman—asked him, whether he intended to vote for the motion then before them, and on being answered that he did not, he declared that he would not hear him. Another gentleman rose and said, that if there were any persons present who did not approve of the object of the meeting, they ought to have the good manners to be silent. To this it was replied, that it was a mere farce to have a public meeting where all must be of one opinion, and where those who might express a different opinion were prevented from attending by the intervention of police-officers. The gallant general had laid some stress on the petition being signed by the magistracy of Manchester. But the magistracy of that town were constituted differently from that of other places, and care was taken to exclude those who were not of one political opinion. This was by no means creditable, and created a suspicion that the opinions of those who were appointed might lead, in many cases, to defeat the ends of justice. But to come back to the petition: he could state that it was sent about from house to house for signatures. The churchwardens of Manchester were in communication with those of other places for the purpose of getting all the signatures they could. Evidence had been given to him, that it was taken

to vestries for the purpose of getting signatures, and in one instance it was proposed to send it to a school where there were two hundred children, in order that they might sign it; but some man of sense who heard the proposition objected, and it was not sent. On another occasion it was proposed, that the paupers of a workhouse should be permitted to sign it; but this also was opposed by some intelligent person present, and was given up. When he mentioned this circumstance, he thought it was not unfair to infer, that other instances had occurred where the same good sense did not prevail, and that parties were asked to swell the number of signatures who ought not to have been allowed to sign. It was also stated to him, that the petition had been hawked about to public-houses, and that persons in a state of intoxication were permitted to sign it. It was also taken to the neighbourhood of Methodist chapels, and other public places, and all who came from the chapels were asked to sign. In like manner copies were sent to some of the toll-bars, and the carters as they passed were requested to sign, and persons were ready to sign for such of them as could not write. These circumstances would show the value of a large portion of the signatures, and how far the petition had a claim to be called that of the inhabitants of Manchester and its neighbourhood. He did not know how far the word "neighbourhood" was meant to extend; but there were thirty townships in the parish of Manchester, with an adult population of two hundred and fifty thousand. The gallant general had stated, that the petition contained the sentiments of four-fifths of the population; but how he could make out that the signatures to this petition were four fifths of that population, he was at a loss to know. He believed, too, that they had not confined themselves, in their search after signatures, to the district within which those two hundred and fifty thousand persons were to be found; for in casting his eye over the petition, he found the name of an individual who described himself as an inhabitant of Middleton. Now Middleton was six or seven miles distant from Manchester. You might as well go to Barnet to beat up for signatures to a petition professing to be the petition of the city of London, as go to Middleton for signatures to a petition professing to be the petition of the town of Manchester. Let the

House now consider how far this petition conveyed the sense of the educated, the intelligent, and the wealthy part of the inhabitants of the town of Manchester. There were two places in the town in which the respectable inhabitants were accustomed to assemble. One of them was called the Portico, a news-room and library, to which there were four thousand subscribers. This petition was sent there; and during the period of its laying there, it received twelve or twenty-four signatures, he did not know exactly which. It was also sent to the Exchange, a place which the respectable merchants of Manchester were in the habits of frequenting. It was left there for several days. It received about five or six signatures a-day; but was soon removed when it was found that no more signatures could be got from the one thousand five hundred subscribers who belonged to that room. He would say, upon this evidence, that the petition was not the petition of the educated and intelligent portion of the inhabitants of Manchester. Let him compare this petition with the petition which had come from Manchester in the year 1825. That petition lay for signature thirteen days, and received in that time twenty-eight thousand signatures. This petition lay for signature thirteen weeks, and received in that time only twenty-two thousand signatures. This was a proof of what the feelings of the people were in Manchester and its vicinity. Let him look at the manner in which the two petitions had been signed by the members of the liberal professions. The petition which emanated from the requisition which had been signed by the five hundred and six lay persons, was signed by three physicians. The other petition was signed by seven. He could have wished that the same spirit of liberality had been visible in the clergy; but they had acted a very different part. He thought that the House ought to lament the part which had been taken by the clergy on this occasion. What must be thought of the church, if they, its ministers, with all its ample endowments in their possession, confessed that they could not defend it effectually from encroachment, unless the professors of the Roman Catholic religion were excluded from seats of parliament? The clergy of the three dissenting congregations in Manchester had expressed in their petition their confidence in the wisdom of parliament and of the government, and

requested the House to carry into effect the measures proposed to it for the advancement of religious liberty. Such a petition did them the highest honour. Perhaps the House would permit him to mention a circumstance which struck him as equally curious and interesting. The same attempts which were now making to excite a popular clamour against the measure, had been made more than a century ago, when the Union with Scotland was proposed; and it might be amusing to the House to know that one of the most active agents in raising that clamour was the then earl of Nottingham. It would seem as if a dread of the consequences of innovation had descended, by inheritance, from the earl of Nottingham of that day to the earl of Nottingham of this. The earl of Nottingham of that day was afraid that destruction would arise to the constitution from the Union with Scotland, just as the earl of Nottingham of this day was afraid of destruction arising to it from the proposed measures of concession to the Roman Catholics. He would read the words used by the earl of Nottingham, of 1706, on the subject of the Union with Scotland, that great measure, on the policy of which there was at present no diversity of opinion; and he had no doubt that when this question was carried, as he hoped and trusted it would be, it would receive the same unanimous approbation from posterity. Nay, more, he believed that the same applause would be given by posterity to those statesmen who were now anxious to settle the Catholic question, as was given at present to those who brought about the Union with Scotland. The words of the then earl of Nottingham were as follows:—“If this Union do pass, as I have no reason to doubt but it will most certainly, I may with as much reason, and as justly, affirm, that I have outlived all the laws and the very constitution of England; and I conclude with a prayer to God, to avert the dire effects which may probably ensue from such an incorporating Union.”* Notwithstanding these dreadful predictions, the constitution of England still existed; and he had no doubt it would continue to exist, after the measure of emancipation was carried, and that it would even derive additional strength from so desirable a consummation.

* See *Parliamentary History of England*, vol. vi. p. 569.

Sir C. Hastings presented a similar petition from Leicester. On former occasions, he said, he had always felt it his duty to oppose these concessions, and he felt it to be equally his duty to oppose them now. Though hitherto he had supported the government, he found it quite impossible to support it under the present instance. Whenever the measure of concession was brought forward, he should feel himself bound to give it his most strenuous opposition.

Mr. Hugh Dick presented a similar petition from Maldon, in the hundred of Dengie, in the county of Essex.

Mr. T. B. Lennard said, that though this petition came from the hundred of Dengie, which contained a population of six thousand souls, it could not boast of more than one hundred and fifty signatures. Some years ago, the inhabitants of that district were remarkable for the zeal with which they upheld the cause of what was called Protestant ascendancy. He had therefore stated the number of signatures attached to this petition, in order to show that a great alteration had recently taken place in the opinions of the population in that part of the country upon this all-important question. He was quite sure, from this and other signs of the times, that the more this question was considered by the people, the more would the feeling of liberality be extended. As he had stated that the number of signatures to this petition was but few, he felt it right to add, that it was not owing to any lack of zeal. After it had lain for some time at the town-hall for signature, it had been carried round the town by the bellman, who had told the different individuals whom he asked to sign it, that they could not refuse, if they wished to keep the pope out of England. He mentioned this to show the mode in which signatures had been obtained, and the weight which ought to be attached to them. Some of the persons who had signed this petition were persons of great respectability: others, who could not write, had put their marks to it. He did not object to this practice; for he thought that every person ought to have an opportunity of expressing his opinions.

Mr. Leicester presented a petition from Alton, in the county of Southampton, in favour of further concessions to the Roman Catholics. The petitioners were short and decisive in their prayer, and did not trouble their heads about security; being of opi-

nion, that there was no need of security where there was no danger, and that the act of concession would be the best security that could be devised for the Protestant establishment in Church and State.

The Lord Mayor (Mr. Alderman Thompson) said, that he had a petition to present against further concessions to the Roman Catholics. It came from the clergy of London, who had been incorporated under the style and title of the "President and Fellows of Sion College." He had frequently had the honour of being made the medium of communicating the sentiments of this learned and reverend body, to the House; and he had received peculiar satisfaction from having been made so, in consequence of the mild and temperate manner in which they always offered their opinions to parliament. He was one of those who thought it was the peculiar duty of the clergy of the church of England to come forward and to express their opinions, as to the effects of the measure about to be proposed, and that it was the duty of the House to pay serious attention to their opinions when expressed. They stated, that when they reflected upon the blessings which the country had enjoyed under a constitution essentially Protestant, they could not contemplate without alarm the proposed abrogation of the laws which prevented Roman Catholics from sitting in parliament. The hon. member then read the petition at length to the House. On concluding it, he said, that during the ten years he had had the honour of a seat in that House, he felt it to be his duty, whenever the subject of concessions to the Catholics had been before the House, to give it his steady opposition. He had done so from the most disinterested and conscientious feelings; but he was now free to confess, that the subject was brought before that House under circumstances very different from any which had hitherto been witnessed. We found Ireland in a state of agitation from one end of it to the other, and we were recommended, in the Speech from the throne, to take its situation into our consideration. The measure of concession, too, came before them recommended by an unanimous government; and it would ill become him, or indeed any other representative of the people, to refuse, under such circumstances, to apply himself calmly and temperately to the consideration of the evils which afflicted that country. He

should, therefore, not join in denouncing a measure not yet known to the House, and of the enactments of which every body was ignorant. On the contrary, he would express his readiness to believe that the measure was recommended from a feeling of its necessity by the government. He had hitherto had confidence in his majesty's ministers, and he would not withdraw that confidence from them until he had better reason for doing so than the proposed measure seemed to afford.

Mr. *Hume* said, it was with much pleasure he had to present a petition from the dean and guild, councillors and brethren of the corporation of the royal burgh of Arbroath, in favour of the Catholic claims. He was anxious to make a few remarks on this petition, as, in the early part of the session, an hon. gentleman had represented the opinion of the people of Scotland as very different from what it really was. Now, he knew, on good authority, that a great change had taken place in their opinions, and that by far the majority of the people of Scotland were in favour of the removal of all civil disabilities on account of religious opinions.

DUTY ON GLASS IN IRELAND.] On the order of the day for going into a Committee of Supply,

Mr. *Jephson* said, he would take that opportunity of calling the attention of the chancellor of the Exchequer to a tax, or rather the repeal of a drawback, which was imposed on Ireland during the last session. He meant the repeal of the drawback on Window Glass exported from England to Ireland. He found no fault with this tax, so far as the higher orders were concerned; nor for those who made use of the better description of glass: but the effects of the tax had been injurious to the lower orders, to an extent little anticipated by those who introduced the measure. He was aware of the miserable description of hovels in which the Irish had dwelt heretofore, frequently four mud walls, with a hole made through the wall to admit light. In the general improvement, however, an improvement was gradually taking place in this respect. The labourer was attaining a better description of dress, and the luxury of a single window. To this improvement the right hon. gentleman had effectually put a stop. The tax had put it out of the power of the lower classes to purchase glass, the price of which had been

raised to double what it had been. He implored the right hon. gentleman to give some relief to the lower classes in this respect; especially as it might be done without any material injury to the revenue. As one method, he should suggest, that an allowance should be made to the manufacturer on the sale of the lowest description of glass, in sizes of less than one square foot. He would not take up the time of the House by urging the effect which cleanliness must have on the moral character of the people; but he trusted the right hon. gentleman would afford this small relief to the miserable peasant of Ireland.

The *Chancellor of the Exchequer* said, he had no reason to suppose that the prices had risen so much, and that he could afford no hope of a reduction, owing to the frauds which had been committed in former instances. He could not see how this duty, which was only 3*l.* 13*s.* on the hundred weight of glass, could operate as such a grievance.

Mr. *Jephson* said, that the price of common glass had risen from between 2*l.* and 3*l.* to 6*l.* or 7*l.*

ORDNANCE ESTIMATES.] The House having resolved itself into a Committee of Supply, to which the Ordinance Estimates were referred,

Mr. *Perceval* said, that in introducing the Ordinance Estimates, he should not trespass long upon the committee, as he knew his right hon. friend near him would supply any deficiency on his part, and give such explanations as might be called for in the course of the discussion. It was his duty, however, as there would appear in this year's Estimates, a large increase under the head of Ordinance, to explain how this increase arose; which he hoped he should be able to do satisfactorily, without committing the framers of those estimates in any departure from those principles of economy which the government had sanctioned and enforced in the different public departments. The increase on the votes for the Ordinance services in the present year amounted to 125,897*l.* The sum last year was 1,597,196*l.*, and the vote called for this year would be 1,723,003*l.* Before he entered into a comparison between these votes, he would just remark that he meant to leave out of the account a sum of 6,115*l.* for the estimate of the

pay and allowances of the five companies of the royal staff corps transferred to the Ordnance from the army Estimates, for six months, commencing from the 25th of June, 1829. It had formed no part of the former charge, and could not fairly enter into the comparison between this year and the last. He should, therefore, leave it entirely out of the question, and consider the vote for this year 125,897*l.* more than it was last year. The Board of Ordnance had been able to make credits to the extent of 49,150*l.* less this year than the last. These credits arose from the rent of building land in Kent, and the sale of stores. Large quantities of stores used to be kept, and from time to time considerable sales of these had been made, the produce of which had gone in diminution of the sum to be asked from parliament. Deducting this sum from the actual increase apparent on the Estimates, there would remain an increase of expenditure this year to the amount of 76,747*l.* In stating this increase to the committee, he begged to remind those honourable members who had given their attention to the Estimates of this department, and who belonged to the Finance Committee, or who had read the report with regard to it, that, in that document, they would find the evidence of his right hon. friend, the Secretary at War, who, speaking on the subject of the works, stated, that "to diminish the expenditure by 75,000*l.* or 100,000*l.* this department had been reduced, in 1827, as low as it could possibly be;" and his right hon. friend afterwards explained, that "there must be a surplus, because military orders were peremptory;" adding, that, "according to the evidence before the committee, this reduction would be no saving." His hon. friend, sir George Clerk, also stated, that he was perfectly aware of the fact that, "when the proposition was made, the Inspector-general protested that it was impracticable, unless it was perfectly understood that it was intended only as an experiment for one year." The consequence of this was an increase, under the head of works and fortifications, to the amount of 69,000*l.*; to which, adding the increase of 14,000*l.* for the purchase of stores, the general increase was accounted for. By turning to the same evidence, honourable members would see, on the same authority, that it was impossible for the business of the department to go on with so small a vote for stores as had

hitherto sufficed; and for the same reason, namely, because formerly the board was able to deduct sums for the sale of stores, and come to this House and ask for much smaller votes on account of that surplus. The stock would, for the future, be adjusted to the real demand every year. As there was an increase of 69,000*l.* for works, 14,000*l.* more for stores, and in other items 83,000*l.* and as the excess of expenditure altogether was only 125,897*l.*, it was obvious, that there must be altogether on the other heads of the estimates, a diminution to the amount of 30,000*l.* It was satisfactory to state, that this diminution was chiefly in the establishment of the Ordnance: it was especially in the Civil Establishment, in the Departments at Woolwich, in the Medical Establishment, and in the Royal Military Academy, that reductions had taken place. He ought to remark, that for that very reason, the considering the reduction in the charge for the artillery, which had been forced on the Ordnance Establishment in 1828, it would be unfair to take that year in comparison with the present year. The only fair mode would be, to compare these estimates with an average of the three years prior to 1828, and then it would be proved that there was a diminution of 20,000*l.* The average expense of the artillery during those three years was 914,214*l.*, and the expense for the year 1829 would be 893,900*l.*, which was a diminution, as he had before stated, of 20,000*l.* On dividing the Estimates of that year into the two heads of effective and non-effective, it would appear that on the effective there was a decrease of 74,000*l.*; instead of which there was, on the other hand, an increase on the non-effective head, of about 76,000*l.* He would only observe, that the decrease was on the effective, and not on the non-effective, which was beyond the control of the Ordnance Department; for when once the superannuation was fixed, it remained during the life of the party: and these charges frequently resulted from the very reductions made in the establishments, with the view of decreasing the public expenditure. He did not doubt that many honourable members would be somewhat perplexed in examining these estimates, as the changes in the mode of compiling them had been considerable, with the view of bringing under the distinct heads all the proper expenses of

each. Several sums that used to be voted in what were called the Supplementary Estimates, were now included in the items to which they properly belonged. A great number of clerks' salaries had been voted formerly under the head of Barracks, Military Stores, and the Superannuation Establishments. The whole charge of the Civil Establishment would now be borne under that head. In comparing the nominal items for the Pall-Mall office this year with the nominal items of last year, the present estimates would appear much greater than they recently were. On the whole the expense of the Civil Establishment last year was 483,531*l.*, and the vote now proposed would be 500,600*l.*; but it should be remembered, that under this head the charges for the clerks were borne, which in 1828 was supplied from a different source. If to 483,500*l.* were added this increase of 24,000*l.* the vote for that year would amount to 507,500*l.*; from which deducting the present vote of 500,610*l.*, the result would show, that on the Civil Establishment, there was an actual diminution of nearly 7,000*l.* In the other votes for the Departments at Woolwich, the Medical Establishment and the Professors of the Royal Military Academy, there was a small reduction; in the Military Corps there was the same establishment as last year, and consequently the same charge.—He had only now to invite the attention of the Committee to the Extraordinaries, which included two items, one 79,445*l.* for the military of store branch, and 14,167*l.* for furniture and stores for barracks and hospitals. Into the other items he would not enter in detail, as they were small in amount, and of a fluctuating nature; he meant such as the different heads of contingent and miscellaneous charges. There was one item of 18,400*l.* for the purchase of land at Sheerness, to keep off the erection of buildings which might interfere with the works. The same observation held good with regard to the ordinary and extraordinary service of Ireland; for if the vote to be proposed for this year was merely compared with that of last year, there would seem an excess in the present vote. The charge of last year was only 124,108*l.*, and for this year 128,979*l.*; but the apparent increase was owing to the transfer of charges to this department. Under the head of barracks there was an increase of 13,873*l.*; but then 5,400*l.* of

this money was for building new barracks. In Ireland, too, there was an increase of 9,666*l.* in the barracks, and under the head of stores and rent, 11,000*l.* less was received this year than the last. As to military stores, too, there was a diminution of 5,622*l.* He did not think it necessary to trouble the committee any further at present. He had thus cursorily gone over the several heads of the Estimates, aware of his inability to make the statement as lucid as it could have been made by his right hon. friend, who would, he trusted, supply any deficiency he had committed. He would move, "that 70,224*l.* be granted, for defraying the salaries to the Master-general, the Lieutenant-general, and the rest of the principal officers and clerks belonging to the office of Ordnance at the Tower and Pall Mall, for the year 1829."

Mr. *Hume* confessed he was rather disposed to wave the discussion of these Estimates, as a long time had been spent by the Finance Committee in examining them; and he owned that, by the evidence, very little progress was made to warrant any reduction whatever. The gallant officer, the Secretary at War, had given a decisive opinion on the subject of almost every reduction; and he willingly conceded that the gallant officer had done so with perfect propriety. The difference between these Estimates and those of last year it was undoubtedly very difficult to understand, though on the whole he believed the aggregate increase was not so great as it appeared. He approved of a consolidation of the public accounts: it was desirable that they should be rendered clear and distinct, and each head brought under one view. He was not able, for want of the necessary returns, to make out where additions had been made; but he observed, in some instances, that there was a much greater number of persons included in those items. The clerks of the Surveyor-general, last year, were twenty-nine in number; this year they were increased to forty-seven: the clerks of the Ordnance from twenty-three were increased to thirty-three, and in the storekeeper's department they were raised from seventeen to thirty-two. He had no means, at present, of knowing whether this increase was correct. He regretted extremely to observe, from the expressions used by the hon. gentleman, that his majesty's ministers seemed to consider themselves to have reduced to

the lowest ebb the department of Ordnance. He said so with great concern, for he readily admitted that in many details, as it was actually constituted, it was far superior to many other departments. But he differed very much from his majesty's government as to the mode in which the business was carried on, and he believed that one-half, if not two-thirds, of the expense of the civil department might be saved. The artillery were now separated from the Commander-in-chief, who knew the officers only by chance in foreign service; and this would remain so, while there was an intermediate in the person of the Master-general, who stopped all communication. He submitted to the gallant officer (sir H. Hardinge), whether it would not be attended with a great reduction and great benefit to that branch of our military service, if, instead of a separate department, consisting of the Master-general, Lieutenant-general, and other chief officers of the Board of Ordnance, who had duties incompatible with a due attention to the artillery, that corps were placed with a commandant, directly under the Commander-in-chief. The same course he would recommend with regard to the engineers; and thus the whole military branch of the Ordnance might be detached from that department, which would remain charged only with its proper duty of keeping the stores. In India the artillery were so placed, with a commandant of their own under the Commander-in-chief. The divesting of the military branch from the Ordnance would render unnecessary the offices of Master-general and Surveyor-general; and the charge of the department would thus be greatly reduced. The more he thought upon this subject, the more satisfied he was, that this alteration would effect a great saving, as well as improvement in the system. Until the government brought themselves to make this change, he was unprepared to say that any great reduction could be expected in these estimates. He did not deny the merit of the heads of this department, in cutting down from an enormous war-scale of expenditure to one of peace; but he still thought one-half might yet be saved, by placing this branch of the service upon a different footing. Well as the service was at present performed, compared with what it had been, yet the establishments were large and unnecessary. In one department there were twenty-six porters

and messengers for the Ordnance-office. What necessity could there be for such a number of messengers, unless to run about from Pall-mall to the Tower? The clerks and officers should be brought from the Tower to Pall-mall, and the establishments consolidated, with a view to prevent unnecessary expense and delay in the transaction of the public business. When such a consolidation should have taken place, at least one-third of the clerks at present employed might be dispensed with. If reductions could be brought out in no other way, he hoped that the revenue would fall short, so as to render retrenchment unavoidable. He wished to see our establishments reduced, not merely because it was more satisfactory to have a small establishment than a large one, but because we should be enabled, by means of such retrenchments, to grant relief to the public in the amount of taxation at present imposed on it. When parliament met last year, nothing was talked of but retrenchment and finance committees to lessen the public expense; but there was now no talk of reductions; and the fact was, so long as the revenue continued productive, we should have nothing like those effectual reductions in the public establishments which could alone afford relief to the country. There was a large portion of this vote of 70,000*l.* that might be dispensed with. The expense of this department in 1796 was only 18,700*l.*; now it amounted to 70,554*l.* He entered his protest against the expense of the Pall-mall department, and thought we might well dispense with that board, which, in fact, was nothing but a store-branch, the whole business of which might be done for one-fourth or one-fifth of the cost at present incurred in supporting it.

Mr. *Perceval* observed, that the hon. member for Aberdeen recommended reductions to be made in departments which were precisely those from which the public got something for their money. A consolidation of various departments was recommended by the hon. member. What had been done in this way did not consist in a consolidation, but a transfer of different heads of public business to one department to which they all properly belonged. Not a single clerk was added in consequence of this. The hon. gentleman admitted, when discussing the navy estimates, that savings effected by cutting up necessary branches of expenditure were,

in fact, no savings, but decided losses. He could assure the hon. gentleman that such would be the case here. A transfer of the Ordnance department to the Horse-guards must render it less effective than at present. The head of the Horse-guards was sufficiently hard-worked, and had already plenty to do. It was therefore impossible to add the Ordnance to the Horse-guards with advantage to either department.

Mr. *Baring* wished to ask a question with respect to a branch of our colonial expenditure included in the present estimate: he alluded to Canada and the expense of certain works—a canal and fortifications—to be performed there. In the estimates, there was a vote of 67,398*l.* for Canada; and 4,581*l.* was set down for Nova Scotia. Although these were large sums, they were but small compared with the amount with the expenditure with which we were ultimately threatened. He now asked, whether the great works in question had been undertaken, and if they were carried to any considerable extent; or whether the votes to which he had alluded were for minor undertakings?

Sir *H. Hardinge* replied, that the works recommended last year had been undertaken and were in progress. The items adverted to were for the continuation of the works commenced last year. The gross sum which parliament was called on to vote on account of these works amounted to 330,000*l.* for Canada: but of course that expenditure did not take place this year. The votes for works at Halifax and Kingston were the principal which were included in the present estimate. For these purposes about 15,000*l.* was to be expended at Halifax, and 20,000*l.* at Kingston. This was 5,000*l.* more than was taken last year. These works, which were to be continued on the scale of 30,000*l.* a year, would be finished next year, when that branch of expense would cease. The Ridaut canal was not contained in this estimate. Estimates to a large amount for works in Canada were laid before the Finance Committee; but at the same time it was stated, that there was no intention of carrying the whole into execution. The works were divided into three classes; the first embracing what was urgent; the second including works that were desirable, but not of so urgent a nature; and the third referring to undertakings kept back till a more dis-

tant period, and made contingent on the spread of civilization, and the exigencies of the country. A sum of 900,000*l.* would have been required to complete the whole of the undertakings contemplated, exclusive of 600,000*l.* for the Ridaut canal. For 1,500,000*l.* we should be able to place our colonies in such a state of defence as might be considered complete; but no more than 330,000*l.* would be asked from the House. The Ridaut canal would most undoubtedly answer every object which government had in view when it was first contemplated; and according to the latest reports of the surveyors, there was no season of the year, except when the waters were frozen, in which it would not afford a perfect water communication. With respect to Kingston and Halifax, it was of the utmost importance, that the undertakings now in progress should be completed.

Mr. *Baring* thought the Ridaut canal not an useless waste, but an extravagant application of the public money. It was an improvement certainly, but one which, though we might make it, there was little doubt would fall into the hands of others.

Mr. *Hume* was not satisfied in what manner the twenty-six messengers were employed in the Ordnance. He believed in one department, over which the gallant officer presided, messengers were employed specially to go from the first floor to the second. In the present instance, 2,415*l.* was paid to these twenty-six porters and messengers.

Sir *H. Hardinge* observed, that there was a warehouse connected with the Ordnance in Tooley-street; another branch of the department was at the Tower; and a third in Pall-mall. The messengers had to perform no trifling duties, in consequence of this division of the establishment. A considerable saving of postage and other small items was effected by employing these messengers. For instance, one messenger carried letters between Woolwich and Pall-mall at a saving of an expense of 200*l.* a year; and this was not the only advantage, for a saving of time was also effected; it being possible to obtain answers to the communications on the day they were sent, which could not otherwise be effected. Similar savings were effected by means of the messengers employed between Tooley-street, the Tower, and Pall-mall.

Mr. *Maberly* asked, why the communi-

cation between Pall-mall and Woolwich was not carried on by the military? He should also be glad to know why the Tower department might not be consolidated with Pall-mall? The Finance Committee recommended that the clerks of the Ordnance at the Tower should be removed to Pall-mall, and that in future the former place should only be considered as a dépôt of arms. Why had not the recommendation been carried into effect?

Mr. *Perceval* said, it was absolutely necessary that some clerks should remain at the Tower; and this being the case, no material saving could be effected by removing a few of them to Pall-mall.

After a desultory conversation, the several resolutions were agreed to, and the House resumed.

HOUSE OF LORDS.

Tuesday, March 3.

ROMAN CATHOLIC CLAIMS.—PETITIONS FOR AND AGAINST.] The Archbishop of *York*, on presenting a Petition from the clergy of the deanery of Craven, said,—My opinion accords most perfectly with the opinion of these petitioners. Entirely ignorant, however, as I am, of the nature and extent of those provisions in the intended Roman Catholic Relief bill, which it has been so confidently affirmed will afford sufficient securities to the established church, it is impossible for me to say at present what line of conduct I may eventually think it right to adopt with reference to that bill; that is, whether, I may feel myself justified in giving my support to it, or be compelled from a sense of my duty as a Protestant bishop to oppose it.

The Earl of *Eldon* said, he had a petition of a similar nature, to present from the parish of St. Leonard, Shoreditch. It had been agreed upon at a parish meeting at which it was opposed; that meeting was held in the parish church, and those who were in favour of the petition were desired to go out at one door, and those who were against it to go out at another. The numbers being thus counted, it was found that a large majority were in favour of the petition. He felt it necessary to add, that the petition was signed by fifty persons who were not parishioners of St. Leonard's. These persons signed it by mistake, supposing it to be the London and Westminster petition; but there was

nothing to complain of in this, as several had signed the London and Westminster petition, supposing it to be this petition.

The Earl of *Darnley* said, he had to call the attention of their lordships to a petition of a very different nature from the same parish. It was true, that there had been a majority in favour of the anti-Catholic petition; but he was credibly informed that this was owing to many who were opposed to the petition having left the meeting from fatigue, and he was also informed that the petition was signed by large numbers who did not belong to the parish. The petition which he held in his hand was signed by one thousand one hundred and sixty on eof the most respectable inhabitants of the parish. At the head of it were the names of the senior churchwarden, three overseers, and the chairman of the public vestry. To each of the signatures was attached the place of abode of the person signing it. Having stated this much, and agreeing that on presenting petitions, the great question ought not to be debated, still he could not help, once for all, stating his opinion. Let it be granted that there was a numerical majority of Protestants in the British empire adverse to the Catholic claims, and what then? Was this a question to be decided by mere numbers? No; not until it could be shown that those numbers really understood the question. His noble and learned friend had presented fifty petitions that night; and a noble duke had, on the preceding evening, presented perhaps sixty. It was not a difficult matter to procure numbers of petitions. A country squire had only to take a piece of parchment in his hand, and ask every poor labourer, or old woman he met to sign it. His request would be sure to be complied with, especially if he told them, as some had done, that the Catholics would burn them all. The question was, "Did the people understand what they signed?" Besides this, must they not look to authorities as well as numbers? He would not allude to the bright constellation of virtue and learning which had died in the Catholic faith, or in sentiments favourable to the Catholic claims. He would confine himself to the living; and without meaning any disrespect to any noble lord present, he did not know, with the single exception of his noble and learned friend, who was certainly a host in himself, of any other instance of a person in that House, remark-

able for learning and talent, who was opposed to the Catholic claims. To pass from individual authorities, let it be recollected that the House of Commons had, by repeated majorities, declared in favour of the Catholic claims; and he had no doubt that a majority of their lordships would come to the same decision very shortly. This great metropolis was in favour of the Catholic claims; and out of doors, with the exception of the clergy of the Church of England, no persons of learning and talent were against the claims. He was sorry that the clergy had thought it necessary to oppose the claims; and he was the more sorry that while the generality of the established church, both in England and Ireland, had conducted themselves so creditably in their opposition, some of the members of it, like the rev. Dr. Robinson, of Armagh, had conducted themselves so indecently, preaching blood and slaughter against the Catholics.

The Earl of *Eldon* said, he must beg his noble friend when, with the exception of himself (lord Eldon), he set down the whole of that House, as downright block-heads, would for the future speak of him only as the noble and not as the learned lord. He had laid down the office which entitled him to that distinction. He must also beg permission to say, that though the House of Commons was constitutionally the organ of the sentiments of the people, yet that it was legitimate to take notice of the sense of those whom the House of Commons represented. He never recollected a time in which the public mind was so much agitated as now. At the time when they had a famous bill in Parliament, the India Bill, they were told by the farmers of the bill, and some had gone nearly the same length now, that the petitions, however numerous, did not speak the sense of the people. It happened, however, that the Parliament was soon after dissolved, and then the persons who had held this language found out their mistake; but they consoled themselves by declaring that the people were in such a state of delusion that there was no getting them out of it.

Earl *Somers* rose, to present a petition from the freemen of Hereford; and, in doing so, he wished to observe, that he conceived he was promoting the real interests of the country, by aiding the exertions of those who petitioned the House in favour of the Catholic claims, and who, he hoped, would never refrain from petitioning, until

the disqualifications under which the Catholics laboured were removed. He hoped, hereafter, to have an opportunity of expressing more fully his opinion on this great question, but he thought it right to say a few words on the present occasion. He was aware that a great number of the Protestant people of this country and of Ireland were opposed to this measure. But when he stated this, he would ask their lordships whether mere numbers were to be regarded as the criterion by which they were to be guided; or whether they were not rather to be guided by the opinions of those who had maturely considered the subject? He hoped that ministers would not give way to the expression of alarm and apprehension which had been excited on this occasion. Their lordships should recollect, that the question was, whether we shall be a divided or a united people; or whether, on the grounds set forth in the anti-concession petitions, we should still persevere in a system of exclusion.

The Duke of *Gloucester* said, he held in his hands a petition from Gloucester in favour of the Catholic claims; and it gave him very great pleasure to lay it before their lordships. The petitioners said, they had observed with feelings of the highest satisfaction the recommendation of his majesty that this question should be taken into serious consideration by the legislature. He entirely concurred in the prayer of the petition. He wished the legislature as speedily as possible to render justice to the Roman Catholic subjects of the realm; and he only lamented that that justice had been so long delayed. At present they were ignorant of the measure which it was the intention of government to introduce; but he hoped that, with the exception of a few offices, disabilities would be totally removed. Any half-measure would, in his mind, be not only unsatisfactory, but dangerous. He hoped the proposition for relief would be perfect and complete, and he should then hail it as one of the most gratifying measures that parliament had ever been called on to sanction. He conceived that no measure was more calculated to increase the power, the happiness, and the greatness of this country; and he felt that whatever tended to increase that power that happiness, and that greatness, must tend also to support and uphold the interests of the Protestant church. As he had every reason to believe that due securities would be afforded for the safety of the

Protestant church and throne, he thought that the measure ought to receive the general support of their lordships. He hoped however, that it would be attended with other measures. He trusted that a plan would be devised for the payment of the Catholic clergy; for he was convinced, that by so doing, additional safety would be provided for the Protestant church. All outcries as to the income of the church would thus be removed; but if they were not so paid, dissatisfaction, he feared, would continue in the sister country. Besides, it appeared to him, that by paying the Roman Catholic clergy, a more respectable class of individuals would be induced to connect themselves with that body. He likewise hoped that an arrangement would be made to place the nomination of the heads of the Catholic church of Ireland, as well as the different Catholic establishments, under the authority of the Crown; in the same way as they were subjected to the interference of the king of Prussia and the king of the Netherlands.

Lord *Suffield*, in rising to present a petition from a body of Unitarians of Manchester, in favour of the Catholic claims, said, he would take that opportunity of entering his protest against the doctrine that this question ought to be decided by the number of petitions that were presented to their lordships. He was not disposed to allow his decision to be swayed by a consideration of that nature. He was inclined rather to look to the maturely-formed judgment of reflecting men, than to the hasty opinion of many who expressed themselves hostile to concession. His objection was by no means directed against the character of those petitions, or of the persons by whom they were signed. He admitted that those who had petitioned against granting the claims of the Catholics formed a very numerous body, and their right to petition no man respected more than he did; but he would take the liberty of saying, that every man's opinion on this important subject was not of equal weight. Now the noble and learned earl (Eldon) must know, as well as he did, that the great mass of the people of England could only give their opinion on this, or on any other question, according to the case that was laid before them; and if it were stated to them, as it had been, that the question was, whether this country was to continue a Protestant country, or

to become a Popish country; if strong allusions were made to the probable introduction of fire and faggot, if such suggestions were resorted to, it was not at all surprising that individuals who would not think for themselves, hastened to sign petitions against the dangers which they were taught to believe would ensue from the course of policy adopted by his majesty's ministers. He was not, however, at all disposed to admit that the majority of the people was opposed to concession. In that part of the country with which he was best acquainted, such was not the fact. But noble lords would ask if this statement be correct, why do not the people sign petitions in favour of the measure? He would at once answer,—they did not sign petitions, because they placed confidence in his majesty's ministers, and believed that they would do that which was right and correct. However great the number of petitioners against concession to the Roman Catholics, against a measure of which nothing was absolutely known, what was that number, compared with the whole population of the country? He would state one instance, which had come within his own knowledge, to show why the friends of concession did not stand more prominently forward. There was in the north, a society called "the Friends of Civil and Religious Liberty," which comprised a very numerous body; and it was some time ago suggested, that a petition should be sent from that society in support of this unknown measure. That proposition was however overruled, on this simple ground, that his majesty had recommended, and his ministers had unanimously agreed, that relief should be granted to the Roman Catholics. That being the case, these individuals asked, for what are we to petition? On that ground the proposition was overruled. This, however, he knew, that in Norfolk, the county with which he was best acquainted, his firm conviction was, that the preponderating feeling was in favour of measures of concession.

The Earl of *Carlisle* rose, to present a petition for the repeal of the disabilities which affected the Roman Catholics, from Worksop and its neighbourhood. The noble duke of the cross-bench had a few evenings since, presented a petition from the same place, against concession to the Catholics. In presenting that petition the noble duke had said, that there were some

peculiar circumstances connected with those by whom it had been signed, and, on that ground, he was desirous that the petition should be read at length. But when the petition was read, he could discover none of those peculiar circumstances, but he could easily conceive that some difficulties might have arisen in producing that petition. He understood that much exertion had been used in obtaining signatures to it, and he could well understand, that many of the persons who signed it would experience some difficulty in thus condemning a noble neighbour of theirs to perpetual exclusion from his hereditary seat in the legislature of his country. He would not enter into the general question; but he believed he might say, without laying himself open to a charge of undue partiality, that in love of constitutional liberty, the noble duke to whom he had alluded was not surpassed by any of those who were reviling his religion, and opposing his restoration to his just civil rights [hear]. The petition which he now presented was signed by the duke of Portland, and by two hundred highly respectable inhabitants and freeholders. It would have been more numerous, if it had not been deemed necessary to lay it before their lordships as soon as possible.

The Duke of *Newcastle* said, that allusion having been made to him, he begged leave to offer a few remarks. The noble duke had said that considerable exertions had been used to procure signatures to the former petition. He believed that the signatures to that petition amounted to two thousand, while the signatures to the petition now presented, did not exceed two hundred. If there were any difficulties experienced in procuring signatures to the anti-Catholic petition, those difficulties originated entirely with the opposite party. There was a determination on the part of those who supported that petition, not to smuggle it; and the only notice that was given of its existence was fixed on the door of the house where it lay for signature. No sooner, however, was that notice put up, but a general desire to sign it was manifested.

The Marquis of *Lansdowne* said, he had several petitions to present in favour of the Roman Catholic claims. In presenting them he could assure the noble and learned earl, and the House in general, that he was as far as any man could be from undervaluing the right of the subject

to petition, nor was there any man who felt more decidedly that the opinion of the people throughout the country ought to be respected by parliament. Still, he could not assent to the proposition, that the true feelings of the country ought to be measured by numbers alone: on the contrary, he conceived it ought to be measured by the character, education, and knowledge of those who appeared before the legislature. It was perfectly true, that some years ago, when this important question was discussed, and a majority obtained in its favour in the other House of parliament, a dissolution of parliament immediately followed, and that a complete change was then effected in the complexion of parliament. But, during the last ten years, there had been two dissolutions of parliament, and throughout that period there had been displayed a continued correspondence of sentiment between parliament and the people on this question; and he was now happy to add, that in addition to this correspondence between the people and their representatives, they had at length a government united upon this great question.

HOUSE OF COMMONS.

Tuesday, March 3.

MINUTES. The House ballotted for a Committee to consider the petition against the return of Mr. O'CONNELL for the county of Clare. The reduced list was as follows—Mr. EASTHOPE, Sir G. ROBINSON, Mr. R. H. CLIVE, Mr. JAMES BROUGHAM, Mr. E. B. CLIVE, Mr. JOHN STEWART, Mr. LIDDELL, Mr. COURTENAY, Mr. CAREW, Mr. LOGE, LORD W. RUSSELL. Mr. Sec. PEEL took the oaths and his seat for Westbury.—Mr. DAWSON, on behalf of Mr. Secretary PEEL, gave notice, that on Thursday the right hon. Secretary would move to take into consideration that part of the King's Speech relating to the condition of Ireland, and the removal of Civil Disabilities affecting His Majesty's Roman Catholic subjects. Mr. Home DRUMMOND obtained leave to bring in a Bill to render more easy the recovery of Small Debts in the Sheriff's Court in Scotland.—Mr. SLANEY gave notice, that he would, after the Easter recess, move for a Select Committee to inquire into the burthens and restrictions on the manufacture of Malt and Beer, and on the supply of Malt liquor to the middle and poorer classes.

ROMAN CATHOLIC CLAIMS—PETITIONS FOR AND AGAINST.] Mr. *Brownlow* rose, to present a petition, which he said was known throughout Ireland by the name of the Rotunda Petition. He felt honoured in being selected to present it to the House, and he hoped he should not be considered guilty of having attached undue importance to it by the notice which he had given of his intention to do so. The petition asked for Catholic

emancipation. In this particular it was not remarkable; for it merely expressed the general, he might almost say the national, feeling of Ireland; but if the number of the signatures to the petition were considered, if, above all, the character of the great national assembly at which it was agreed on, were considered, the petition was well worthy the serious attention of the House. The meeting at which it was carried was not a Catholic meeting, it was not a Protestant meeting; it was not convened under the influence of the Catholic Association: it was not convened under the influence of the Brunswick Association: it did not assemble for the purpose of promoting any party views; but it was a meeting, the first of the kind that had taken place in Ireland, composed of all classes of men, Catholics and Protestants, of Catholic peers and Protestant peers, of Catholic gentry and Protestant gentry, of Catholic lawyers and Protestant lawyers—the Irish people, he might say, assembled, as if determined to sink all differences of creed in the common name of Christians, and to unite in expressing to the House their opinions with respect to the state of Ireland, of which they were best capable of forming an opinion. They declared it to be their opinion, that the penal laws were not only grievous to the Catholics, but attended with the most unfortunate results both to Catholics and Protestants. This question should not be called the Catholic, but the Protestant, question: for the Protestants of Ireland were more concerned in the success of it, than the persons who might be regarded as more immediately its object. The Protestants of Ireland were placed in a situation in which they could no longer continue. The bad laws had created a sore in the Catholic part of the population, whilst the Protestant part had been branded with undue marks of partiality and affection; and the passing of a law which would put Catholics and Protestants on an equality, was the only measure of salvation that could be devised, for the handful of Protestants who were surrounded by a crowd of enemies. Some hon. members had asserted that which was untrue, when they stated, that the great body of the Protestants of Ireland were adverse to Catholic emancipation. In the petition he was about to present was embodied the Protestant declaration of Ireland; and, if any member was disposed to doubt the correctness of

his statement, when he said that the majority of the Irish Protestants were favourable to the adjustment of the question, he would advise him to look at the names which were attached to this declaration. It was signed by two dukes, seven marquises, twenty-six earls, eleven viscounts, two counts, twenty-two barons, thirty-five baronets, fifty-two members of the House of Commons, and upwards of two thousand persons of other rank. Amongst those who had signed the declaration were to be found individuals, the most distinguished for private virtue and attachment to the public interests of Ireland. The parties who signed it had not done so for the advancement of the Catholic power, or to introduce Catholic domination, or a predominance of Catholic influence. Their object was the advancement of Protestant interest and the support of the constitution. That the feeling of the majority of the landed interest of Ireland were in support of the principle asserted in the petition, could not be denied. Two-thirds of the Irish members of parliament, and he believed he might say a still greater proportion, were its advocates. The recent election for a representative peer in Ireland proved that the majority of the aristocracy of that country were also decidedly favourable to the same principle. The election was a contest between the supporters and opponents of emancipation, and the sentiments of the Irish peerage were clearly evinced in support of that measure, by their return of a nobleman whose family had always been favourable to it. Yet after this evidence before the House, they had heard some hon. members assert, that a majority of the Protestants of Ireland were opposed to concession. It was, he admitted, true, that a large number of the Protestant yeomanry of Ireland were opposed to the measure of concession; and the opposition thus created was of itself an evidence of the necessity of an amicable settlement of the question. Those who were best acquainted with the state of Ireland, would admit, that in Armagh, and some other parts of the country, where the grievances were most felt, there the opposition between Catholics and Protestants were found to be most violent, approaching to a desire for mutual extermination. Yet he had no doubt, that if the question were once brought to an amicable settlement, in the only way in which it was possible to settle it amicably, by concession,

we should, in a short time, find, amongst Irishmen of all classes, without religious distinction, that cordiality and union which existed amongst them every where but in Ireland; and that from thenceforward, the animosities and heart-burnings which now made them a divided people would be completely buried in oblivion.

Mr. *Huskisson* said, that considering the character of the petition, and the high rank, great wealth, and powerful influence of those by whom it was signed, he thought the hon. member who presented it was called on to enter more fully into its subject than an ordinary petition would require, and to direct to it the particular attention of the House; which he had done so ably, and to which the character of the individuals, and their extensive knowledge of Irish affairs, had the strongest claim. In all respects this petition seemed a contrast to the English petitions which, night after night, poured into that House from all parts of the country, in opposition to the intentions of his majesty's ministers. The petition before the House looked at the question as one purely of a political nature; as one essentially Irish; and it was in that sense alone it had been introduced to the notice of the House by the hon. member. In the English petitions, as far as he could judge, the feelings of the petitioners arose from an apprehension on the ground of religion, rather than from a fear of political danger. He respected those feelings in the great body of the people, and he had no doubt that it was by working on those feelings, that such a number of petitions had been obtained; because the people believed that their religion was involved by the proceedings in parliament. These, he admitted, were honest prejudices, and deserved the attention of the legislature; and he was not one of those who did not think them worthy of serious attention. He thought, however, that it was most important that those who were so active in getting up these petitions should, if possible, be prevailed upon to take a different course from that which they had hitherto pursued, and, instead of hawking them from door to door, and putting them in public places to which large numbers of the lower orders were in the habit of resorting, to call public meetings. There was no part of the country where there could not be found some men of education, intelligence, and sound views on this question, who would no doubt at-

tend at such meetings and allay the fears which were excited, by detailing what was the real state of the question. If such meetings were held, and he was sorry they were not, men would be found who, instead of proving, or endeavouring to prove, that this was a question between the Protestant creed and that of the church of Rome, would show that it was purely one of a political character; or that, if it were a question between the two creeds, the only way in which that of the Protestant could expect a triumph would be to open a fair field for each; for in that case the Protestant religion would most certainly be triumphant. Such a man might say, that if there were any apprehension of danger from withholding an equal participation of rights and privileges from all his majesty's subjects, the only way to remove that danger would be to repeal the laws which created the disabilities, that that course would undoubtedly be best for the interests of that church, in support of which the intended measures had been graciously recommended by his majesty to the consideration of parliament. He had no hesitation in stating emphatically, that the measure of concession was inevitable [hear, hear]. He did not mean that this necessity was physical; but he would say, that there was a great moral necessity for considering this subject with a view to concession. He had heard much in that House and out of it, of settling the question; but he had never heard any which could bring it to a conclusion, except, indeed, what had been intimated by a gallant officer on a former evening (general Archdall); namely a direct appeal to the sword. That gallant officer, speaking of his constituents, had said, that their ancestors had once fought the Catholics, and that they themselves were ready to fight them again. With persons so heated, it would not be very useful to reason; but in that very state of feeling which showed one party ready to fight with the other, he saw the absolute necessity of concession. Another measure, and one in appearance more pacific, was to dissolve the parliament, and appeal to the people. Dissolve the parliament! Why, fortunately for this country, the Crown could not take such a step without the concurrence of its responsible advisers. It would be insanity itself to suppose that the present ministry could advise such a measure; but if they did not, by whom

could such advice be given? It would be insanity to suppose that, as public men, they could advise such a course—especially after the honest and manly avowal of a change in their opinions on this subject, which had been made by the noble duke at the head of the government, by the right hon. the Secretary of State for the Home Department, by the Chancellor of the Exchequer, and by other influential members of his majesty's government. But then, if men of their opinions could not be found to advise such a course, would it not be still more insane to suppose that a set of men could be brought into the cabinet on mixed principles, with a determination to remain neutral? That would now be impossible. He had no hesitation in saying, that the day of neutrality was gone by. It had lasted much too long; and he was glad that the time had at last arrived, when the Crown had taken it upon itself to give advice which would put an end to neutrality on this most important question. He would say then unequivocally, that an appeal to the people by a dissolution of parliament was impossible. But though such a measure was pacific in name, would it be so in reality? He apprehended that it would be far otherwise. In the present state of excited feeling throughout the country—a feeling which must be still more excited by the stimulants of a general election—he could not contemplate such a measure without the utmost alarm and dismay. In this view of the question, then, he would repeat, that the measure of concession was inevitable. The people of this country must make up their minds to it; and whatever might be the feelings of some on the subject, they should give way to measures by which much danger and confusion would inevitably be prevented. He would say, that it was the moral duty of every man, whether in that House or out of it, to exert himself to correct the mistaken opinions which were spread on this question, and not let it go forth uncontradicted, that the intended measures would have an effect injurious to the established religion. It was the duty of every man to show, that nothing was intended which could endanger the Protestant establishments in Church and State; but that, on the contrary, the object of those measures was, as their effect would be, to give greater security to all our establishments. By these means,

the people would be taught to submit with the same loyal confidence in the measures suggested by the wisdom of government, and sanctioned by the deliberate sense of the legislature, which had distinguished them on all other occasions.

Mr. *Brougham* said, he rose to express his hearty concurrence in what had fallen from the right hon. member for Liverpool, and particularly in the latter part of his address. That attempts were making, in different parts of the country, to defeat the measure recommended to parliament he believed; but they were neither so extensive nor so powerful as the right hon. gentleman seemed to think: that attempts were making to delude the less thinking, less educated, and less enlightened portion of the community, into the belief, that the intended measure was one which would interfere with their religion, no person who at all observed what was passing in parliament and out of it, could entertain any doubt. He trusted, however, to the good sense of the people—he trusted to their naturally kind feeling—he trusted even to the little time which must elapse before the introduction of the intended measure, for a removal of much of the prejudice which existed with respect to it. For one, he concurred with the right hon. gentleman, that in discussing this question it should be argued as a political, not as a religious question—that it was now a question of right and justice, and that we should lay our account to consider it as one of inevitable necessity. Of the three modes of disposing of it, that which would pretend to let it remain as it was, was the least possible: the only practicable or possible one was that which looked to its amicable settlement by concession. To go back to the repeal of the concessions of 1778, 1779, and 1793—for there were not wanting some who, in their excess of zeal for what they considered the constitution, would go even thus far,—he held to be one of the wildest chimeras that ever entered the most visionary brain. That parliament would adopt the only mode in which it could be settled, he firmly hoped and believed. As to the notion, that a government could now be formed on a principle of neutrality, or on the principle of opposition, it was what ninety-nine men in a hundred of common understandings would scout as impracticable; and as to a government on a mixed principle, it was still more so. He would venture to say,

that no man in that or in the other House of parliament, be his want of sense, his thoughtlessness, or his inconsiderate violence what they might, would stand up and say, that a neutral could be exchanged for an unconceding cabinet, or that either could be formed on a basis which could last much longer than the time occupied in naming it. To talk of the dangers to which the country would be exposed from concession, though he had heard much less of that in that House than out of doors, was so childish, absurd, and ludicrous, that he knew nothing like it, except the still greater absurdity of setting down as unimportant the only real fear which ought to affect men's minds on this question :—he meant, that wholesome fear which should operate on a great statesman; not a fear for his place—not a fear for the personal safety of himself or his connexions, or party, but a fear for his country—a fear of the danger of discord, and the possibility of civil war; and when he heard a gallant officer talk of Protestants being ready to fight with Catholics—he was not sure whether the gallant officer had not used the word “willing,” but whether he had or not, the word “ready” struck him to have been used in a tone as if the will were not wanting—when he heard men calmly talking of such differences between his majesty's subjects as created civil discord, and tended, perhaps, to civil war, who could say that there was not ground for fear? That the noble duke at the head of government should be accessible to the wise and statesmanlike fear of not plunging the country into a danger from which even he might not be able to rescue it, was not only justifiable but praiseworthy. In the presence of the right hon. Secretary opposite, he was less inclined to say any thing in his praise, than he should otherwise be; but not having had an opportunity before of alluding in terms of just praise to his manly avowal of the change which had taken place in his mind on the great question, he would state, that his silence on that subject hitherto must be attributed to any motive rather than to a disinclination to join most heartily in all the panegyrics of the most enthusiastic of his admirers.

Mr. Moore said, that it was not his wish to take from the importance of any petition presented to that House; but after what had been said on the one now before it, he could not avoid offering a few words.

From the statement made by the hon. member who presented it, it would appear as if this petition was the result of a kind of national convention; as if there had been a general meeting of the Catholics and Protestants of Ireland. But what would the House say when he informed them that the meeting from which the petition emanated had been called for the express purpose, and for that alone, of giving its sanction to certain resolutions which had been already agreed to. In proof of this he might mention, that when a gentleman who attended the meeting rose to offer his opinions against the petition, he was called to order by the chairman, who stated that they had assembled only to give effect to the resolution which had been before agreed to. That resolution was the Protestant declaration. He believed that the noble lords and gentlemen whose names were at the head of the list had signed it willingly enough, but he could not attribute the same motives to the whole of the two thousand persons whose names appeared to it. Those other parties were influenced by motives which he would explain; for he would state facts. It was well known to the hon. member for Armagh, that the Catholic Association had exercised a coercive power over public opinion in Ireland; if indeed that could be called public opinion which was expressed under the despotism which that body exercised over its fellow-subjects. In that body, it was known that notice had been given of a non-intercourse resolution, which was to have the effect of preventing the dealing of Protestants with Catholics; and it was worthy of remark that this notice made its appearance about the time of the Protestant declaration. That declaration was sent through the country, and the notice of motion in the Catholic Association had equal publicity. The consequence was, that every Protestant who kept a shop, and depended in any degree on the custom of his Catholic fellow-subjects, was threatened with the loss of that custom, and the starvation of his family, if he refused to sign. When this was considered, it should not be wondered that two thousand names had been obtained to the declaration. But when the public press exposed the anti-Christian feeling in which such a resolution originated, some persons interfered who should have interfered two months before; and then the resolution was given up, and it

was made a matter of charity to refrain from pressing it. He could state a fact in illustration of the use which had been made of that declaration with respect to signatures. A friend of his, a silk-manufacturer of Dublin, who was a Protestant, called at the shop of a mercer in that city, a Roman Catholic, whom he was in the habit of supplying with silk. The Protestant declaration, as it was called, was lying on the counter, and the mercer said, "Will you sign this?" His friend said, he had hitherto kept himself from interfering in politics, and did not wish to sign. "Then," said the mercer, "if you do not, you cannot have our custom." His friend, who was a man of independent spirit, was indignant at this threat, and replied—"Ma'am," his friend was addressing himself to the lady of the house, who was in the shop at the time, and who was the spokesmaster on the occasion,— "Ma'am, I have several Catholics in my employment, and what would you think of me, if I were to discharge them on account of our difference of religion? I have too much Protestant feeling to take such a course; and, from the same feeling, I will not allow the threat you hold out to influence me in what my conscience does not approve." His friend left the shop, and some silks which he had sent as patterns for an order about to be given, were next day sent home. So much for the means resorted to to obtain signatures to the Protestant declaration. He thanked the right hon. member for Liverpool, for the value he attached to the opinions of Irish Protestants on this subject, from their local knowledge of Irish interests; but respectable as were, no doubt, many of the parties who signed the petition, they were nothing as a body, compared with those who had signed petitions already presented, and others which were about to be presented, taking a very different view of the question.

Mr. *James Grattan* said, he would first notice the anecdote which the hon. member for Dublin had introduced, by way of an enlivener into his speech, and would merely say, that the Dublin silk-mercier had told him a very different story from that which he appeared to have told to the hon. member. All that he could gather from the story was, that the individual who had addressed the wife of the silk-mercier, was a very ungallant person indeed. But, letting the story pass for as much as it was worth, what did it prove?—

the dreadful condition of society in Ireland. The noble duke at the head of his majesty's government, and the right hon. Secretary opposite, if they had not come forward to check it, would have grossly neglected the peace of that country. If ever there was an occasion on which it was incumbent for Irish gentlemen to come forward with a declaration of their sentiments, it was when a petition, signed by the most influential persons in Ireland, in respect of education, intelligence, and property, was presented to the notice of parliament. That petition had originated in the following circumstance:—The hon. member for Dublin, in establishing the Brunswick clubs in Ireland, had given commencement to this Association. The friends of the Catholics residing in Ireland, were surrounded by small clubs, often consisting of not more than half a dozen individuals, of whom the parson was generally one—which led to a very considerable annoyance. To get rid of this annoyance, they thought it their duty to have a public meeting in Dublin, and in that meeting, they determined to follow the principle adopted in the Brunswick clubs, of which the hon. member for Dublin had the credit of being the original promoter; that was, they determined to have no individual amongst them who was opposed to the object of their meeting. It was from a meeting so convened, that the present petition originated; and that meeting would never have taken place, if the divided state of Ireland had not rendered it imperatively necessary. He returned his grateful thanks to those gentlemen who had supported the cause of the Catholics, until it had reached its present promising state: but, in returning them his thanks, he must say, that the triumph was not wholly theirs. Many foul calumnies had been propagated against the Catholic Association. This was not the time for either examining or refuting them. He would content himself with saying, that it was mainly owing to the exertions of that Association, that the question had been brought to its present favourable condition.

Mr. *Trant* said, he was as desirous as any gentleman to have this question brought to a fair issue, but he should like to know, whether it had hitherto been conducted upon fair terms to both parties interested in it. He should like to ask, whether the Castle of Dublin had not thrown its weight into one of the scales at

the time when the meeting, at which this petition was agreed upon, was convened? He had been given to understand, that many gentlemen had attended it as a mark of their affection to his illustrious relative. He did not intend to have addressed the House on the present occasion, but he could not allow the assertion of the right hon. member for Liverpool, to pass unnoticed, that the measure, with which we were threatened, ought to be considered inevitable, because it was quite impossible to make up a cabinet consisting of individuals entertaining opinions opposite to the new opinions of the noble duke and the right hon. Secretary of State. He would advise the member for Liverpool, to recollect a saying of our late venerable monarch, which had now become a matter of history. On a question, on which it was recommended to our late sovereign to change his principles, because he could not find ministers who would govern upon those principles, his majesty said, "Rather than desert those principles, I will go to Charing-cross, and take the first nine or ten men that I meet there with good coats on their backs, as my ministers. I will then throw myself upon the country, and try whether the country will, under such circumstances, desert its sovereign." It was absurd to say, that a government could not be framed out of the ranks of those who opposed further concessions to the Catholics. The right hon. member for Liverpool was guilty of great inconsistency in saying so; for it was only the other night that he had volunteered a compliment to an hon. member near him, and had told him in direct words, that he had proved himself qualified for a seat in the cabinet, by the speech which he had then delivered. There were other gentlemen equally well qualified for such situations. He was speaking of the younger members of the House, not of stupid gray-headed members like himself [a laugh]; and he maintained, that if the country would only evince its determination to adopt the principle of Protestant ascendancy, it would soon find able men enough to govern it upon that principle. Though it might not be easy at first to establish a Protestant administration, the scruples of some gentlemen to such a project, might, perhaps, be removed by taking a trip down to Windsor. Those gentlemen, when their scruples no longer stood in the way of their preferment, might do to stop up a

gap in a new administration; and perhaps some other gentlemen might not be so habituated to their new sentiments, as to refuse to turn back to their old ones, when, by so doing, they could regain their old places. And here he would call upon the House to look back at certain event, which had become matter of history. He thought he recollected a time, when a administration, which called itself "*All the Talents*," declared, without any reserve, that Catholic emancipation should be granted, and when it thought that it was impossible to make up any cabinet that was not determined to grant it. But then, as he had heard, for he was ten thousand miles from England, an individual, of the name of Perceval, did, somehow or other, contrive to form a cabinet of eminent statesmen opposed to Catholic emancipation. He had likewise heard, that the *Talents* said, that all the statesmen who formed that cabinet, were so stupid, that it was quite impossible for them to carry on the government for a year. Yet, that cabinet, even after the head of it had been snatched away by a premature fate, had carried on the government on his principles for sixteen or seventeen years; and on the same principles, had the right hon. Secretary opposite, known his own strength as a Protestant, he might have carried on the government for many a long year to come. He apologized to the House for trespassing on its attention; but he could not quietly sit by and hear an expression so strange as that used by the right hon. member for Liverpool—namely, that this measure was inevitable: just as if the fates had decreed, and man could not resist it, and as if those who took the same part with himself were besotted, demented, or some such thing as that.—One word as to the irritation which was said to pervade the country. The Catholics of Ireland, having agitated as they called it, to the very verge of rebellion, and having publicly declared that they would compel the government to yield to their requests, fully justified him in asserting, that they had ulterior objects in view. If the Catholics would be satisfied with the concessions for which they now clamoured, no one would be more ready than he should be to grant them. But we had the words of their leaders to prove, that they would not be satisfied with such concessions. There was an accumulation of evidence to prove, that the Catholics only wanted

admission into the two Houses of parliament, to tear down the Protestant church of Ireland in the first instance; and when that was accomplished, to tear down the Protestant church of England in the next. What had one of the most influential bishops of the Roman Catholic church said upon this very topic? "The church of Ireland must fall; and I like emancipation because that measure will accelerate its fall."

Sir *J. G. Cotterell* presented a petition, numerously and respectably signed, from the city of Hereford, against further concessions to the Roman Catholics.

Viscount *Eastnor* said, that the meeting at which it was agreed to was duly convened, and attended by a large number of persons connected both with the city and county of Hereford. There were many magistrates present, many clergymen, and about one or two thousand other persons. The petition was temperately worded, and agreed to by a large majority. Inasmuch as this petition expressed a hope, that the Roman Catholics would not be admitted to seats in either House of parliament, he could not accord with its prayer. Having uniformly felt it to be his duty to support the Catholic claims, and feeling that duty impressed upon his mind more strongly than ever, he should continue to act on the principles which he had formerly espoused.

Mr. *E. B. Clive* corroborated the statements of his noble colleague as to the respectability of these petitioners. He regretted that his constituents had not intrusted their petition to himself or his colleague. At the same time, he must be forgiven for saying, that though his noble colleague and himself were opposed to the views of the petitioners, they would have taken as much care of it as the hon. baronet. He was happy to say, that in spite of their differences on political opinions, he had always contrived to live on terms of kindness and friendship with his political opponents in the country. He had frequently said to the gentlemen who had formed Pitt clubs in his county, "Why do you, who oppose yourselves to Catholic emancipation, call your clubs by the title of Pitt clubs? You have no right to use Mr. Pitt's name." To this question he had frequently received this answer—"We have a right to use Mr. Pitt's name; for though he was a great friend to Catholic emancipation, he would

never have granted it without security." Now, it appeared to him, that the question was at present whether Catholic emancipation was to be carried with such securities as were necessary for the preservation of the Protestant Church. He therefore trusted that when the bill of Relief came under consideration many gentlemen would give it their support who now thought that they must oppose it. He had now to present a petition from a number of freemen of the city of Hereford, of a contrary import from that which had just been presented. It prayed the House to take into its most serious consideration the propriety of conciliating the people of Ireland, by a removal of such grievances as were capable of being redressed, consistently with the preservation of the constitution. This petition was signed by two hundred and fifty of the freemen.

Mr. *G. Moore* begged to present a petition from a numerous body of the inhabitants of St. Leonard, Shoreditch, which was the result of a public meeting, regularly convened by a requisition from the churchwardens, and held in the vestry. There was, besides, a good deal of discussion at the meeting. Counter resolutions were proposed, and in the event this petition was signed by six thousand seven hundred and sixty-three of the inhabitants, and had it not been that about three thousand more had by mistake signed their name to the general London and Westminster petition, they would have subscribed this document. He had had a personal interview with a deputation from those who had signed it; and never had he met with more sensible or calm people.

The petition was read, and upon the sentence being read, in which the petitioners expressed a hope, that the House would not pass any measure that could undermine the stability of the Throne,

Mr. *Baring* said, that from the speech which the learned member for Dublin had made, and the allusion to the sense of the petitioners, he had been disposed to anticipate that this petition was one against any concession to the Catholics; yet, what was his surprise when he had heard it read, to find it was one which every gentleman, who was anxious to have that question settled, could most conscientiously sign; for it expressly desired them not to undermine the stability of the throne. If the learned gentleman had thought proper, at his interview with these

intelligent petitioners, to have made the same speech to them that he did half an hour ago to the House of Commons, he was quite sure they would, after listening to such a picture of the dreadful state of society in Ireland, in which all Christian feeling seemed to be almost banished in the intercourse of man with man, have implored the learned gentleman to pause and endeavour to devise some plan by which such dreadful evils might be remedied.

Mr. *Moore* said, there was some dexterity in this mode of selecting an isolated sentence in a petition, and making it the subject of particular remark. If the hon. member, instead of taking that course, had looked at the petition as a whole, and had coupled it with the discussion out of which it had emanated, he would have seen that it plainly declared the incompatibility of the principles of concession with the security of the Protestant constitution.

Mr. Alderman *Waithman* said, he had shown no forwardness to offer unnecessary observations upon the presentation of these petitions, because he was convinced that the greater the moderation of tone adopted on such times the better. He confessed he felt surprised at the praise which hon. members lavished on efforts of this kind, seeing the notoriety which had been given to the means by which these petitions were got up. He knew a little of the practices which were resorted to. And from that knowledge he would venture to say, that the great majority who signed them knew little or nothing of what they were doing. The invitations to sign were not, "Will you put your name to a Petition against the course recommended in his Majesty's Speech for the consideration of the disabilities affecting his Majesty's Catholic subjects?" but, "Will you sign a Petition against Popery?" There was, likewise, this inducement held out—that every person who signed it should have a printed copy of the luminous Speech of the duke of Cumberland [a laugh]. He wanted to get a copy of this precious oration, but had some difficulty; as the signature to the petition was enforced by some indispensable preliminary. And this was the practice in most of the places where these petitions were lying for signature. He held in his hand a bill which was distributing from these shops at that moment.

It began—"People of England, listen to the warning voice of the worthy son of your late great, good, and moral king, of precious and glorious memory, George the 3rd, whom may God for ever bless; who asks you, is this country in future to be a Protestant or a Popish one?—continue silent, and it must become a Popish one—speak out, and it must remain Protestant." If there were any members who thought this was the mode to promote fair and open petitions, he envied them neither their feelings nor their principles. In other parts of the town where anti-Catholic petitions were lying for signatures, men were stationed with large placards, on which were inscribed in large letters "Beware of the Popery petition." These were shameful arts; and he was sorry to say, that many of these petitions were set on foot by clergymen, churchwardens, constables, beadles, sextons, bell-ringers, and grave-diggers. These petitions were signed by all manner of individuals—by boys who ran about rapidly from place to place, and were busy in all directions scribbling their names. Numbers of the signatures were in the same hand-writing. These were mean and unworthy practices, which disgraced the parties resorting to them. Far was he from saying, that the right of the common people to petition should be restricted within narrow bounds: but this was not the way to exercise any such right: on the contrary, it was the surest mode of bringing that valuable privilege into contempt.

Mr. *Baring* said, that although none could be more anxious than he was, to enable the people to come down with their petitions to that House, he could not tolerate such arts as had been resorted to. It was notorious, that petitions had been got up by dint of statements founded upon some horrid recital of barbarity perpetrated in former times. Upon these London petitions he hoped to be permitted to state, that as the civil affairs of the metropolis were managed by a municipal body annually elected, it was not unreasonable to suppose that such a body spoke the sense of their constituents: and yet the Common Council had, after some discussion, by a majority of two to one, recommended the removal of the penal laws affecting their Catholic fellow-subjects, as the only mode of pacifying Ireland, and giving security to the country at large.

Mr. *O'Neil* said, that if any hon. mem-

ber had taken the same pains which he had done to examine these petitions, he would have found that in almost every petition from the Catholics of Ireland, marks and crosses of all kinds were appended to the names, and the latter were written in forties and fifties by the same individual. In point of numbers, too, hon. gentlemen would find, that public opinion was decidedly against concession. With respect to one observation which had fallen from the worthy alderman, he could have wished, before he attacked the clergymen of England, he had taken the trouble to glance at the movements of the priests of Ireland, and see how the Clare election had been carried on by their influence. In the one cause, the priests were struggling to prolong violence and dissention; while, in the other, the clergy were performing a duty that became them.

Mr. Moore presented a petition from the Protestants of the county of Dublin, complaining in the strongest terms, of the conduct of the Catholic Association, of the priests at the Irish elections, and of the spiritual domination which they arbitrarily exercised over four-fifths of the forty-shilling freeholders. This petition was signed by two thousand Protestants of the county of Dublin, among whom were five peers, and a great body of the magistrates, clergy, and most influential Protestants.

Mr. A. Grattan gave the assertion relative to the undue influence of the Roman Catholic priests, an unqualified contradiction.

Mr. A. Dawson said he could not allow the freeholders of the county of Louth to be maligned by the freeholders of the county of Dublin. Such assertions as were contained in the petition now presented, were evidently intended to impose on the House. He did not owe his election to the influence or intrigues of the Roman Catholic priests; neither had he ever appealed to the religious feelings and prejudices of the people. He would not owe his election to any such influence as had been alluded to; and he was above appealing to the religious passions of the people. If the Catholic priests did exert the influence with the people when the interests of their religion was at stake, they exerted it in a very different manner from that represented; and the Protestant clergy had assuredly set them the example. It should be remembered, too, that the Protestant

clergy had less reason to set an example of political interference, seeing that they were protected by a Protestant king, Protestant lords, a Protestant House of Commons, and a Protestant constitution. They were afforded every means of protection, and had therefore little excuse for their conduct. But, was it not incumbent on the Catholic priests, considering their weak and unprotected condition, to endeavour to place in that House some organ by means of which, in the event of their being attacked, justice might be done to them, and their conduct represented in its proper light?

Mr. Moore said, that in Ireland a spiritual coercive influence, in the strictest sense of the word, was exercised by the Catholic clergy over their flocks in political matters. He contradistinguished this species of influence from that which they might legitimately possess, in their characters of pastors of a Christian church. He never had denied, and never would deny, to them, or to any other body of men similarly circumstanced, the exercise of that just and legitimate influence over their fellow-man, which their station in society, and the esteem of their followers, entitled them to: but he would never consent to the clergy of any church making use of the spiritual influence which they possessed, to direct and coerce the political opinions of their flocks. A comparison had been made between the conduct of the Protestant and the Catholic clergy, a comparison which he pronounced utterly groundless. The Protestant church did not recognize the principle of coercion, and it was one on which Protestant clergymen would never act. It should be recollected, that the Protestant clergyman was not only a minister of the gospel, but a freeholder and a citizen. In his capacity of freeholder, he had a right to attend at elections, and vote: as a citizen, he had a right to use the influence afforded him by his station and abilities, not to coerce men's opinions by spiritual tyranny, but to draw them into unison with his own, by means of reason and sound argument. He had no doubt, that to this extent, and by these means—but to this extent and by these means only,—had the Protestant clergy influenced the opinion of the country. The conduct of the Roman Catholic priests was widely different: they used their spiritual influence to work upon the political sentiments of their

followers. This was the sound distinction between the conduct of the Protestant and the Roman Catholic clergy. With respect to the unqualified contradiction given by his hon. colleague to the statement relative to the Catholic clergy, of course his hon. friend spoke from the information he had received, and to the best of his belief; but, in answer to this contradiction, he was ready to state from his own personal knowledge, that his hon. colleague was mistaken. He had enjoyed opportunities of knowing the facts, and did not speak from information conveyed to him through third parties. In truth, he had been a member of the committee appointed by the House to try the merits of the petition, presented against the last contested return for the county of Dublin, and one of the grounds on which that petition went consisted in the influence exerted on the voters by the Roman Catholic clergy. He knew that there were witnesses in attendance on that committee, prepared to prove that the Catholic priests did interfere and exercise a coercive influence over the freeholders, by means of spiritual denunciations. It could have been satisfactorily established, that such denunciations were uttered from the altars of the Catholics' chapels, and that threats of refusing the rights of the church to refractory voters were resorted to. The committee appointed to try the petition came to a resolution, that there were not Parliamentary grounds on which to impeach the return: consequently, the evidence to which he alluded was not gone into, but a part of what could have been proved came out on the cross-examination of the witnesses, and it fully sustained the statements now made, and the allegations contained in this petition with respect to the influence exercised by the Roman Catholic priests. The statements in question would be found to be confirmed by the evidence taken before the committee on the county Dublin election, brief as those minutes were.

Mr. *Henry Gratton* said; he had not made the statement which he had done with respect to the Catholic clergy, on information conveyed to him by others, but from his own knowledge. What he had said on the subject was not matter of opinion or conjecture, but of positive evidence. An inquiry was made into the allegation, which was found, after the fullest investigation, to be entirely groundless. The assertion was a part of the disgraceful

efforts making to delude the people of England. Those efforts, if he wished to trespass on the time of the House, he could expose in the blackest and most damnable colours. In order to carry such base ends into effect, the right of petitioning had been grossly and infamously abused. Some of the individuals who had made these charges against the Roman Catholic priests, were put to the trial in Waterford, Louth, Dublin, and Monaghan, but they did not succeed in proving their allegations. He did not wish to institute any comparison between the clergy of one church or of the other. He regretted the wild and wicked expressions that had occasionally been used by both, in reference to the political dissensions of Ireland; some of them were such as made a man's blood curdle to think of. When the learned member talked of the Roman Catholic priests, he should have recollected the words used by a minister of the Protestant church when speaking of his fellow-Christians. He should have recollected, that a Protestant clergyman had said, "the curse of Cromwell was too good for the Roman Catholics." The parties who forwarded petitions like the present to the legislature, must have gone to the kennels of Dublin, the Shoreditches of the Irish metropolis, in search of the mass of bigotry and intolerance which they had brought forward.

Mr. *O'Neil* said, he was satisfied, that the whole bench of Protestant bishops had not so much power over their flocks as was possessed by the humblest Roman Catholic curate over his followers.

Mr. *G. Dawson* said, it was impossible to hear the observations made on both sides, while discussing this question, without feelings of the greatest pain and regret. If the question were to go on, and be made a subject of dissension, as it hitherto had been, when and where were they to find an end? In what part of the country could peace and tranquillity be obtained, so long as this matter remained unsettled? The most unhappy discords and animosities prevailed; every institution of the country, even the dearest rights of Englishmen, were vilified and abused in turn by the opponents and supporters of this question, as it suited their respective ends. The privilege of petitioning, itself, was represented as an evil. Who could sit quietly by and hear such propositions asserted by those who supported or opposed the in-

tended measures of relief, without feeling distressed at the course adopted, and perceiving the great injury that must be done by the protracted agitation of this question? Who could hear the opinions passed upon the conduct of the clergy, without a strong feeling of the mischief likely to ensue from such discussions? We had heard the Protestant clergy abused for exerting themselves on this subject, and assuming a political character. We had heard the Catholic priests vilified for displaying their spiritual influence for secular purposes. How was all this to end? What good could result from stating, that the Catholic priests had exerted their influence, for the accomplishment of political ends? He believed it was notorious that they had done so: but, as matters now stood, could his hon. friend prevent them from so exerting the influence which they possessed over the minds of the people? Would not the epithets applied to the Catholic priests, provoke those individuals still further, and exasperate existing animosities? What prospect of tranquillity had we, if hon. gentlemen, by their eloquent speeches, were to go on exasperating matters in this manner? He called on his hon. friend, and upon those who thought and acted with him, to look calmly and dispassionately at the question. They would then see the dangers that must arise from a continuation of the present state of things in Ireland, and would not endeavour to influence the minds of the community, and lead them to any unfavourable conclusion on the subject of Roman Catholic relief.

Mr. *Fyler*, in presenting a petition against concession from Coventry, observed, that it was agreed to at a public meeting of the inhabitants of that ancient city, and had attached to it three thousand nine hundred and fifteen signatures. There was a counter-petition also respectably signed, but by only nine hundred and five persons. It was therefore apparent, that no comparison could be instituted between the petitions for and against the Roman Catholics,—the latter evidently conveying the sense of a large majority of the inhabitants. For himself, he would never consent to have the great bulwarks of our constitution in church and state rudely trampled down, and the Protestant church left naked and defenceless, to the attacks of its ambitious and daring rival.

Mr. *R. E. Heathcote* thought, if ministers introduced a measure that would not

endanger the safety of the established church, that the major part of the persons who had signed the petition just presented by his hon. colleague, would willingly concur in it. He said this, partly from what he knew of the spirit that actuated his constituents, and partly from the artifices that were resorted to, in order to procure signatures to the petition. Parties were canvassed as at an election, for their sentiments and signatures, and a bulletin of the two petitions was regularly published, like the state of the poll. The close of the poll was thus announced—“Signatures against Popery, three thousand nine hundred and fifteen; for Popery, nine hundred and five.” A number of persons who signed the petition now presented, did so in the belief that they were opposing the establishment of the Popish religion in this country. For himself, he would support a measure calculated, as he conceived, to promote the best interests of this country, and preserve our constitution, as at present established, in church and state.

Mr. *Legh Keck* rose, to present a petition from the county of Leicester, against further concessions to the Catholics. The petition was signed by nineteen thousand one hundred and three persons, among whom were, the lord-lieutenant of the county, the high sheriff, two earls, six baronets, thirty county magistrates, the mayor and corporation of the town of Leicester, one hundred and twenty-five clergymen, and the majority of the gentry, freeholders, and respectable inhabitants of the district. There was a smaller petition of a similar nature, with one hundred and four signatures, which came too late to be embodied with the present. It had been arranged, that no person under fourteen years of age should be allowed to sign the petition, and that no marks should be attached to it. However, there were a few marks annexed to the skins of the petition; but it was only in consequence of the positive determination of the parties not to be excluded from expressing their concurrence in the prayer of the petition by their inability to write, that they were allowed to affix their marks. The majority of the inhabitants of the district were deeply alive on the subject of the petition. That the inhabitants were unanimous in their approbation of it, he did not say: no such thing could be expected. Indeed, he understood there was a counter-petition; but how

signed, or to what extent, he could not state. He was sorry to confess, that he had been deceived in the conduct of his majesty's ministers. He could not perceive that they were, in their present mode of acting, influenced by sentiments which ought to induce the members of that House to repose confidence in them any longer. The general argument in favour of the innovation was, that it would tend to tranquillize Ireland. If it were possible to do so even by this concession, no man would more gladly make the experiment; but he could not believe that any such result would follow. Certain letters, no doubt circulars, had been sent to him, penned by the late agent of the Catholic Association, which contained doctrines that must show, that nobody could calculate on the renunciation of all political power and influence over Ireland on the part of the Pope, should the contemplated measure of concession be carried by the legislature. That writer had volunteered the assurance that nothing short of unqualified, unmitigated political concession would be accepted. This gratuitous avowal, by an authorized agent of the Catholics of Ireland, had gone a great way to convince him; and he was convinced further of the possibility of its being perfectly consistent with truth, from reading a lately published Memoir of the Duke de Rovigo, wherein it was proved, that the political influence of the Pope was most effectively opposed to the measures of Buonaparte, at the very period when the Roman Pontiff was carried into France as his prisoner. As long as he felt that this might be again the case—as long as he had their own assurances for it, that no concession, except political concession on the broadest principle, would satisfy the Catholics of Ireland—he must be allowed to act in accordance with the dictates of his conscience.

Mr. *O. Cave* presented a petition from Leicester in favour of the Catholic claims. The petition had five thousand signatures, which it had received in a day and a half. Its prayer was founded on the principles of civil and religious liberty; and he trusted the day was not far distant when such principles would need no advocate in a British legislature. He hoped shortly to be able to congratulate the petitioners on the success of their prayer, and that he should soon see Mr. O'Connell and other Catholics in their places in that House.

Sir *C. Hastings* protested against the

petition just presented by his hon. colleague, being received as the expression of the sentiments of the people of Leicester, or even of the persons from whom the petition was alleged to have emanated. He was ready to prove, at the bar of the House, that many of those signatures had been surreptitiously obtained—that some of them were actual forgeries. He was as friendly to the right of petition as any man; but he felt it to be his duty to animadvert upon such a mode of obtaining signatures.

Mr. *O. Cave* stated, that he had received the petition from a gentleman of the highest respectability, who would be incapable of sanctioning such a mode of obtaining signatures. Unless, therefore, his hon. colleague would take it upon himself to state that his allegations were founded on his own personal knowledge of the fact, and not upon hearsay information, he must object to more credence being given by the House to his hon. colleague's assertions than to his own counter-assertion; as both were equally founded on private communications. Until his hon. colleague had stated the source whence he derived his information, he must proclaim his assertions to be unfounded.

Sir *C. Hastings* said, his information would enable him to prove his allegations at the bar of the House, if necessary.

Mr. *O. Cave* was ready to give the names of the gentlemen from whom he had derived his information concerning the petition, if his hon. colleague would also state the names of his informants.

Mr. *Hume* thought it imperative on the hon. baronet to substantiate his charge at once, by either giving the names of his informants, or by stating his personal knowledge of the facts he had asserted. The House owed it to its own character to call upon the hon. baronet to bear out his strong assertion, that forgeries were committed in a petition which had been presented to its notice.

Sir *C. Burrell* contended, that the hon. baronet had no right to state the names of the gentlemen to whom he was indebted for the information.

Sir *C. Hastings* felt himself bound not to state the names of his informants.

Mr. *Baring* considered the charge made by the hon. baronet to be of so serious a nature, that he was bound to make it good, by at once stating the names of the persons upon whom a forgery had been committed.

Sir C. Hastings said, he had a list at home of the forged signatures. Until he had consulted that list, he could only speak of three names positively as forgeries; namely, those of Cooke, Satin, and Pindar.

Mr. O. Cave asserted, that his hon. colleague was incorrect, so far as the name of Mr. Cooke was concerned; for he had a letter from that gentleman, in which he stated, that he not only signed the petition himself, but would be responsible for the respectability and authenticity of the other signatures.

HOUSE OF COMMONS.

Wednesday, March 4.

MINUTES. The Deputy Clerk of the Crown attending according to Order, with the last return for the city of Bath, the said Return was read; and it appearing to be a double Return of the earl of Brecknock and of general Charles Palmer; and no Petition having been presented to the House complaining of the said Election or Return within the time limited for receiving such Petitions; resolved, That the said Election is a void Election: a new writ was accordingly issued. —Mr. PORTMAN gave notice of his intention to bring in a Bill to amend the Laws relating to Friendly Societies.

ROMAN CATHOLIC CLAIMS—PETITIONS FOR AND AGAINST.] Sir James Mackintosh presented a petition from Glasgow, in favour of Emancipation. The petition, he said, was signed by clergymen, by professors of the University, and by bankers, merchants, and traders. Though the petitioners were of the highest respectability, they were not very numerous, amounting to only about three hundred. The smallness of their number might in some respect be accounted for by the unwillingness of the respectable classes in Glasgow to make exertions which might provoke the superstitious and ill-disposed among the populace to re-act the scenes which had disgraced Glasgow in 1780, and which might lead to a re-action on the part of the numerous Irish population in the place. Without meaning any disrespect to those who petitioned against concessions to the Catholics, he must observe, that there were some occasions when petitioners should be weighed, not numbered. The Catholic question was of all others that upon which well-educated and intelligent men were most likely to form a correct opinion, and from the most patient and attentive inquiry on his part, he believed that the majority of well-educated laymen in England and Scot-

land were in favour of emancipation. He might perhaps assert, with equal truth, that the majority of the clergy of Scotland were in favour of the measure; for Dr. Chalmers, the professor of divinity in the University of Edinburgh, and who necessarily exercised a strong influence over the education of the clergy of the Scotch church, declared two years ago, on the opening of a church in London, where other doctrines had since been promulgated, that he desired to see his religion relieved from the incumbrance of penal laws, and left to the defence of truth and reason only.

Sir R. Inglis rose, to present several petitions from various parts of the country. One was from Bolton-le-Moors, signed by upwards of ten thousand persons, and adopted by a public meeting; another was from South Shields, signed by four hundred and fifty. He supposed that these petitions would experience the same unfavourable reception that had been given to many that had preceded them, by gentlemen on the other side of the House. It seemed almost impossible to satisfy those hon. members. If petitions were adopted by vast multitudes of the people, they were represented as the offspring of a riotous and ignorant rabble; and if they proceeded from more select meetings, they were designated "hole-and-corner" productions. His right hon. friend, who had presented a petition from Glasgow, had assumed that the majority of the talent of the country was opposed to the view which he (sir R. Inglis) took of this question. That assertion was founded on ignorance, wherever it was made. When he considered the large majority in the other House of parliament opposed to the Catholic claims, and how nearly divided upon it was the House in which he was speaking,—when he considered that his right hon. friend could not point to a single profession, in which the very first names were not in favour of preserving inviolate the constitution under which the liberties, character, and intelligence of the country had derived such advantages,—when he considered that so large a portion of the country remained firm in support of those principles, he felt justified in declaring the assertion, that the majority of the talent of the country was in favour of emancipation, was founded in ignorance of the fact. He would say further, that the rising talent of England

supported the view which he took of the question. He was not in the House on a former evening, when reference was made to the opinions of the junior members of the University of Oxford, or he would have contradicted the assertion then made, that the majority of those young men were in favour of emancipation. He could contradict that assertion from his observation of the conduct of those individuals two years ago, when such an expression was given to public opinion in favour of a public man, with reference to his conduct on this question, as had never before been exceeded by any body of men of equal numbers.

Mr. *M. A. Taylor* expressed his surprise that the hon. baronet should feel it necessary to talk of supporting the constitution. Much mischief was done by inflammatory speeches going forth. Because the hon. baronet was the representative of a learned body, did he think he had a right to challenge the loyalty of other men? The hon. baronet spoke against the change in the constitution. He denied that any change was intended. He should be a most unworthy representative of the city of Durham if he thought of any such thing as a change of the constitution. None of his hon. friends about him thought of such a thing; nor did any member of the government. The hon. baronet said, he was supported by the rising talent. The petition from the under-graduates of Oxford, to which only three hundred names were signed out of a body of three thousand, was no proof of the correctness of that statement. The hon. baronet would find, on inquiry, that some of the most illustrious men that ever adorned the University were opposed to his views with respect to the Catholic question. What would be the effect of the measure which the hon. baronet called a change of the constitution? Only to give to five millions of people the liberty of being represented in parliament. Some hon. members talked as if they thought we were about to have a Romish parliament and a Papist government. It was idle to apprehend any danger to the constitution, from the admission into parliament of five or six Catholic peers, and thirty or forty Catholic commoners.

Mr. *G. Dawson* said, he could not refrain from offering some observations to the House after the extraordinary turn

which the debate upon this petition had taken. The hon. baronet, who was now the representative of the University of Oxford, had ventured to state, that the rising talent of that learned body was decidedly opposed to all further concessions to the Catholics. Now he had been at Oxford during the last election, and he would venture from his knowledge of the University, to give a denial to the correctness of the hon. baronet's information upon that point. Whilst there, he had been invited to attend a debating society, known to every member of the University. At that society the question proposed for discussion was this—"Are his majesty's advisers justified in recommending to parliament the expediency of removing the disabilities under which the Catholics at present labour." Such was the question which all the rising talent of the University was engaged in discussing; and the conclusion to which they came upon it was entitled to some consideration. The debate was an angry one. The result was a decision of two to one in favour of the course recently pursued by his majesty's government. The young gentlemen of this club comprised the rising talent of the University,—and the result of their deliberations was an expression of opinion which proved beyond contradiction the incorrectness of the information given to the hon. member for Oxford respecting the bias which the rising talent of Oxford had taken upon this particular question. This was a fact which it was impossible to gainsay; and he therefore requested the hon. member for Oxford to weigh his words well before he again repeated his assertion respecting the rising talent of the University of Oxford. With respect to the matured talent of that learned body, he would only say, that whenever the poll-book for the last election should be published, the hon. baronet would find that it was opposed to the opinions of which he was considered the representative.

Lord *Milton* said, that the right hon. gentleman who had just sat down had given a decisive answer to one of the points which the hon. member for Oxford had attempted to make in his speech: but there were other points in that speech, to which he would beg leave to advert. The hon. baronet had asked,—“Are you prepared to change the constitution as it was established in the year 1688?” Now, he

would recommend to the hon. baronet, who plumed himself so much on his historical recollection, to consider whether the constitution which he charged gentlemen with a design to change,—was not the constitution of 1678, and not that of 1688. But there was another point, on which the hon. baronet was much mistaken. It was not perhaps unnatural, that the hon. baronet, returned as he had been the representative for Oxford, should see no other vision floating before his eyes; save that of the talent of that University. He would, however, remind the hon. baronet that there was in this kingdom another University which, though it might not boast of quite so many colleges, was at least entitled to be placed on an equality with it for the learning and intelligence of its members; and he begged to inform the hon. baronet, that the University of Cambridge had rejected a petition adverse to concessions to the Catholics by a majority of five to four. That rejection too, had been made by the senior members of the University; and he was informed, upon authority which he could not doubt, that if that petition had gone to what was called the Lower House, it would have been defeated by a majority of at least three to one. That statement, coupled with that which had just been made by the right hon. member for Derry, might perhaps satisfy the hon. member for the University of Oxford, that his estimate of the opinions which the junior members of that University entertained on this subject were not quite so correct as his information had led him to suppose.

Mr. *Fynes Clinton* said, that as allusion had been made to the opinions entertained by the junior members of the University of Oxford on this question, he would beg leave to state to the House the judgment which he had formed upon that point, during his recent visit to the University. All that he had observed there induced him to believe that a great majority of the University, both of its senior and junior members, was favourable to the candidate who came forward on anti-Catholic principles. The right hon. member for Derry had alluded to what had occurred at a debating society in the University, as a proof of the prevalence of contrary opinions. Now he had not been aware of the existence of such a society; but if it was a society conducted upon the same principles as the debating

society was, when he was an under graduate, he would say that the members of it formed a very small portion of the students of the University. The hon. member had likewise stated, that when the poll-book of the late election should be printed, it would be seen that a great majority of the most able men in the University, and especially of such as had taken honours, had voted on behalf of the losing candidate. He was not prepared at that moment to enter upon such an analysis; but he would venture to say that the gentlemen who had voted for his hon. friend who had been returned for the University, were distinguished for their station in the University and in the church, for their rank in the learned professions; and, above all, for the general talent and information which they possessed. As he was on his legs, he would make one allusion to the speech of the hon. member for Durham, who had animadverted, with so much severity, on the language of those who had denounced the measure of concession as a measure which made a great change in the constitution of the country. He would remind the House, in justification of those who had used that expression, that it had been declared, in a speech made by a leading member of his majesty's government, that the proposed measure would undoubtedly break in upon the principles of the constitution as established at the Revolution of 1688. When such admissions were made by the members of his majesty's government, it was rather hard to charge gentlemen who opposed them with using violent language, when they merely repeated their words.

Mr. *Tennyson* said, that however anxious he might be to see the disabilities which affected his Roman Catholic fellow-subjects entirely removed, he would meet the measure for their removal with the most decided opposition, if it tended to alter the Protestant constitution of this country. He was glad that the noble lord near him had called the attention of the House to the fallacies which had been circulated respecting the intentions of ministers to introduce a change into the constitution as it was established at the Revolution of 1688. He would refer hon. members to the constitution as described in the Bill of Rights, and would assure them, that if they perused it, they would not find in it an express exclusion of the Roman Ca-

tholics from any thing except the throne of this country. Did ministers intend by the measure which they were going to propose to put a Roman Catholic on the throne? He thought not; but if he was mistaken—if it should turn out that they did entertain such an idea,—he would give the measures which they proposed his most decided opposition; and he believed that almost every member who heard him would be equally opposed to their passing into a law. The laws, he admitted, might be changed by their measure; but he did not expect that the constitution would. The noble lord near him had said, that it would be the constitution of 1678, not the constitution of 1688, that would be altered, and the noble lord was perfectly correct in saying so. Every body at all acquainted with the history of this country, well knew that the exclusion of the Catholics from seats in both Houses of parliament was effected in the year 1678, by the act of the 30th of Charles II., shortly after the period when the act for the exclusion of James II. from the crown had failed. It was then that the Crown entered into a compromise with the popular party, and agreed to exclude Roman Catholics from seats in both Houses of parliament, provided the popular party would desist from their attempt to exclude the duke of York from the throne. But now, when there was not the slightest prospect of danger to the liberties of the country from a Popish successor—when the ministers of the Crown could not propose to his majesty a Popish successor, without asking him to overthrow the fortunes of his family—it was impossible to suppose that ministers would propose to parliament any measure which would produce the same effect; and it was therefore absurd to suppose that they had any design to overthrow the principles on which the Revolution of 1688 was based. The laws affixing disabilities on the Roman Catholics might now be repealed without danger, because the prospect which justified their original enactment was no longer before the public. To say that the king's title to the throne would be affected by carrying the proposed measure into execution, was one of the wildest chimeras that ever entered the brain of a man aspiring to be considered rational. And yet such doctrine had been broached by a noble lord, who had once

filled the chair in that House, and had afterwards acted as Chancellor in the sister kingdom. Yes, strange as it might sound, that noble lord had stated in a pamphlet, that his majesty was well aware that his title to the throne depended on the exclusion of Roman Catholics from seats in parliament, and on their disqualification from civil offices. He insisted, that when noble lords dared to make such statements as that, it was high time for every lover of his country to stand forward and vindicate the Revolution of 1688 from such a foul libel as was attempted to be fixed to it.

Lord *Morpeth* said, he rose for no other purpose than to add one supplementary fact to those which had been so ably stated already by the right hon. member for Derry. The hon. member for the University of Oxford had that evening stated it to be his opinion, that in all the liberal and scientific professions the most eminent and intelligent members would be found ranged with him in support of the cause of exclusion. He knew not how far the petition of the English bar in favour of a concession made out the hon. baronet's assertion. He would therefore confine himself to Oxford, to which, as it had been the scene of the hon. baronet's recent triumph, he did not suppose that the hon. baronet could fairly object. The fact which he was going to state would prove, beyond contradiction, that with respect to that University the hon. baronet laboured under a mistake. So far were all the most eminent and learned men of that learned place from being on the side of the hon. baronet, that out of fourteen of the professors, eleven had voted, not for the hon. baronet, but for Mr. Peel. But then, said the hon. baronet, "all the rising talent of the country is in favour of the cause of exclusion." If it were so, it was wondrous strange that the rising talent had not afforded some practical proof of its existence. It would seem as if it were

"—born to blush unseen,
And waste its sweetness on the desert air."

Sir *J. Graham* said, he supposed, that the hon. member for Oxford was alluding to the support which he had received from the Poet-laureat, when he asserted, that all who were most eminent for literature and science were found in the ranks of the supporters of exclusion. Now it happened most unfortunately, that that

most excellent personage, the Poet-laureat, —and a most excellent personage in private life he believed him to be—had changed his opinions so often upon every subject, that it was quite uncertain what opinion he might entertain at any given time upon any given subject. He had not the honour to be in communication with the Poet-laureat, like the hon. baronet, but the information he had received from those who were accustomed to move in the Poet-laureat's circle, induced him to believe, that in spite of his recent violent protestations against concessions to the Catholics, he was not inclined to give his unqualified opposition to the measures to be proposed by his majesty's government. As to what had fallen from the hon. baronet, intoxicated as he was by the triumph which he had recently achieved at Oxford, he would merely say, that it was not unnatural for him to form his opinion of the sense of the people of England on this question, from what he had found to be the sense of his constituents at Oxford. From the position which the hon. baronet had advanced upon that subject, he begged most widely to dissent; and with respect to his observations on the rising talent of the country, he concurred with his noble friend in thinking that if the rising talent of the country was unanimous in favour of exclusion, it was particularly unfortunate that it was to be found every where except within the walls of that House; for he had yet to learn that the youth of England, who were within those walls, were prepared to vote in that minority in which the hon. baronet was certain to be placed, if he divided the House upon the measure of concession. However the hon. baronet might rejoice in his recent success, he believed that every reasonable man of both parties would wait with the greatest anxiety to see the names of the voters for each candidate at the late election for Oxford; for it would be manifest, from the publication of those names, that great difference existed even among the members of the church, as to the course to be pursued in the present exigencies of the country. He would state, in the presence of the hon. baronet, and without meaning him the slightest disrespect, that he regretted the preference which the electors of Oxford had given him over the right hon. Secretary for the Home department. If the predictions of the other side should

come true—if the church should be placed in danger—if troublesome times should be at hand,—if the institutions of the land should really be attacked—he would venture to predict, that the day would not be far distant, when even the high church doctors would regret the choice which they had made, and the champion whom they had selected.

"Turno tempus erit magno cum optaverit emptum Intactum Pallanta; et cum spolia ista diemque Oderit."

"I have great ease" (continued the hon. baronet) "in speaking on this subject at present, because the right hon. Secretary is not in the House to hear me. I cannot boast of any acquaintance with that right hon. gentleman in private life. I have been opposed to him on almost every occasion since I entered upon public life. I have not voted with him I believe, on five occasions, since I came into parliament. I think him, however, a really honest and conscientious man; and considering the great sacrifices which he has recently made—the connexions from which he has torn himself—the public attachments which he has broken asunder—the dangers which he might have created by a different course—the difficulties which he might have aggravated, by adhering to his old system—the civil war which he has avoided, by departing from it—and the great public service which he has rendered to the state by his manly avowal of his change of opinion—considering all these circumstances, I think the right hon. gentleman entitled to the highest praise, and to the honest support of every friend of the Catholics."

Mr. *Duncombe* said, he was at Oxford during the election, and had enjoyed several opportunities of discoursing upon it with several influential persons. He had been informed by many persons of high station in the church, that they supported Mr. Peel, not because they approved of his recent change of sentiments, but because they valued his old services as their representative, and considered him to be a proper person to represent the University.

Sir *R. Inglis* said, he rose simply to state to the House that he would rather have abstained from taking a part in this discussion, for reasons which were personal to himself. He had not referred, as had been supposed, to the rising talent of Oxford; he had cautiously abstained

from making any such reference. What he had said was this—that the rising talent of the country was not in favour of further concession to the Roman Catholics; or, at least, that it was not so exclusively in favour of concession, as to justify the casting of any imputation on the talents of those who espoused a contrary opinion. With respect to the election at Oxford, he must say again that he considered the support which had been given to him, not given to himself personally, but to the public question which he had espoused. He denied that the gentlemen who had supported him were inferior in talent and information to those who had supported his right hon. opponent. There were thirty first-class men upon his committee, who had all come voluntarily forward in his behalf. He begged pardon of the House for making this statement; but as a vindication of his friends appeared to have been rendered necessary by the turn of the debate, he should have been one of the most ungrateful of men if he had remained silent after the kindness which he had received at their hands. One word with respect to the Poet-laureat. It had been insinuated that he had so often changed his opinions upon every other subject, that it was quite impossible to know what opinions he still entertained upon this. Now he would state distinctly, on the authority of the Poet-laureat himself, that he had never changed his opinions upon this question. More than one gentleman who then heard him knew that since this subject first became matter of public discussion, in 1801, the Poet-laureat had been constantly opposed to concession to the Catholics [hear]. Consistent he had been, and consistent he would be on this subject to the end of his career.

General *Gascoyne* said, he had to present a petition from Preston, signed by two thousand four hundred persons, against further concessions to the Catholics. This petition emanated from a large body in a town which had two representatives, yet it had been intrusted to him, and had, he believed, the signatures of at least a hundred of the voters who had returned one of those members, but who had now, by this act, testified their dissent from his opinions.

Mr. *John Wood* said, that the gallant general had reason to speak in high terms of the petition, as it was, in fact, the result

of his own exertions. He could safely say that there would have been no such petition from Preston, had it not been for the gallant general's pamphlets and advertisements. The gallant general had, in fact, acted as recruiting-serjeant to the church, which he considered in danger. He also had received a petition from Preston, which was signed by three thousand six hundred and sixteen persons. The petition presented by the gallant general was not confined to Preston, but had been sent round the country for fifteen miles, from house to house, and the question asked was, "Will you have a Protestant or a Popish king?"

Mr. *Fleming* presented a petition from Bishopstoke, praying that no further concessions might be granted to the Catholics. He regretted that he could not entirely concur with so respectable a body of men. He had certainly always regarded the admission of Catholics to political power with distrust and apprehension; not from any hostility to them, but because he thought it could not be done without endangering the constitution as it was established in 1688. To preserve that constitution he was pledged to his constituents; but he would not go the length of rejecting altogether the measures which were to be proposed, before he knew what they were. He should be happy if relief could be afforded to the Catholics without endangering the constitution, and hoped that the bill would be accompanied by such measures as would secure it. He rejoiced that securities were no longer to be scoffed at, nor considered as play-things in a nursery, or amulets to hang round a child's neck. He trusted that ample provision would be made for the security of the state: and had too much confidence in the noble duke at the head of the government, and in the Home Secretary, to doubt for a moment that such would be the character of the bill.

Mr. *Cripps* presented a petition to the same effect from Cirencester, signed by nine hundred and eight persons. He could assure the House that no undue influence had been used to procure those signatures. He himself had invariably voted against the Catholic claims; and, from any information now before the House, he could not turn round and say that he had been all his life in error.

The said petitions were ordered to lie on the table.

HOUSE OF LORDS.

Thursday, March, 5.

ROMAN CATHOLIC CLAIMS—PETITIONS FOR AND AGAINST.] The Earl of Eldon presented a Petition against further Concessions to the Catholics from Sheffield; and Earl Fitzwilliam a Counter-petition. Both the noble earls made a few observations, which were inaudible.

Lord *Wharncliffe* said, there were some matters connected with these two petitions from Sheffield to which he was anxious to draw the attention of their lordships. Before he did so, he begged to express the pleasure he felt in supporting the petition which had last been presented by his noble friend (earl Fitzwilliam). He thought he might say, and, in so saying, meet with the concurrence of all who heard him, that there was no one more beloved and respected in the county from which this petition came than his noble friend. Certainly no one had received more repeated and marked tributes of respect from that county. Glad, therefore, as he should always be to support the prayer of such a petition as that before their lordships, he was more particularly happy to support the prayer of this, as he did so in conjunction with his noble friend, who had made the attainment of that for which the petition prayed, an object throughout his life, and who, moreover, had suffered in the cause. He trusted, however, that all suffering in this cause would soon be over. And now for the petition. His noble and learned friend (lord Eldon), if he would allow him to call him so, had told them, on a former night, that he had laid down his character of learned lord, and requested that he might be henceforth called simply the noble lord. The noble and learned lord, however, had not quite forgotten the character he had relinquished; for he had that night spoken most learnedly from his brief. The noble and learned lord's instructions, however, were, as it often happened with the instructions of learned advocates, totally wrong. The meeting at which the former petition was voted had not been called by a magistrate. The requisition was not that of a magistrate, but of certain individuals, and it began—"We think it right to invite you, &c." Now, the proper person, the person who was naturally looked upon as he who should call a public meeting at Sheffield, was the master-cutler; but he

had not been applied to. He was quite aware that the persons who called this meeting would make use of the pretence that there was a magistrate in the chair; but that individual was not there as a magistrate; he was there as a clergyman. A clergyman presided at the meeting; all the speakers at the meeting were clergymen; and, though there were laymen present, none of them were allowed to open their lips. When they attempted to address the meeting, they were told (it was certainly a very extraordinary expression) that it was a one-sided meeting. A few days afterwards a meeting was called by the proper person. There were eight thousand persons present at it; the resolutions were moved and enforced by laymen, and they were opposed by clergymen. One of the clergymen (to his shame be it said) pointed to the neighbouring church, and addressed the meeting in these words:—"Sheffielders;—Will you submit to a Popish king? Look at that church, in which you received the rites of baptism, in which you have been accustomed to attend religious worship, and tell me, if you will see it turned into a temple of idolatry? Will you consent to have your daughters taken from you under pretence of preserving their chastity, in order that they may become victims to the lusts of the monks?" He would ask their lordships if it was possible for them to hesitate as to which of these petitions they should give the greater consideration? He had no hesitation in saying, that the clergy were bad judges of politics, bad leaders of public opinion in political matters. If the clergy had been listened to, the House of Hanover would not now be sitting on the throne of these kingdoms. The clergy said, and others who were against the Catholic claims said, that the Protestant church establishment could only be preserved by excluding the Catholics from political power. If this were so, then the establishment was not worth preserving. But the assertion was not true: the church establishment was preserved by the affections of the Protestants, and while it retained their affections it could not be endangered by admitting a few persons to make speeches in this or in the other House of parliament. The Protestant establishment would last as long as, and no longer than, it retained the affections of the people; and those affections must decline, if the clergy put themselves forward with high-church and

intolerant doctrines. To prove that this was the fact, let their lordships look back to the history of the last five-and-twenty years, and tell him whether the affections of the people to the church had been confirmed by the opposition of the clergy to these claims. If they would attend to the fact, they would find, that a great part of those who were most anxious to support the church establishment had been filled with disgust at the conduct of some members of the establishment with regard to this question. He must be allowed to add, that he entertained no fear of the noble duke at the head of the government being shaken in his progress to the settlement of this great question. If he could have entertained any doubt, after what had fallen from the noble duke on the first night of the session, what he had said since must have convinced him, that the noble duke was determined to do his duty, and that petitions got up under the delusion he had described, would have no weight with him. He hoped he should be excused for having thus trespassed upon their lordships; but he felt it impossible to allow such sentiments as those expressed in the petition presented by the noble and learned lord to pass as the sentiments of the inhabitants of Sheffield. He admitted that the conduct of many of the clergy on this question had been extremely creditable to them; but he must say that he believed the clergy had done ten times more towards getting up petitions against the Catholic claims than any laymen in the country.

The Bishop of *London* said, it was not his fortune, he should rather, perhaps, say his misfortune, to be present when the noble lord who had just sat down began his speech. He had heard quite enough, however, to convince him, that the noble lord had indulged in calumnies against a body of men who were most improperly selected as the object of the noble lord's attack. Would the noble lord contend that this was an occasion on which the clergy were not justified in coming forward and expressing their sentiments? As far as he had been concerned in petitions on this subject, he would make bold to say, that on no former occasion had they breathed less of the spirit of hostility—more of the spirit of mildness. It had not fallen to his lot to present many petitions, but he then held in his hand ten or twelve; and they did not contain one word that

could be objected against, on the score of intolerance and violence. Taking the view which was most favourable to the noble lord, of the existing posture of affairs, and saying merely that it was intended to make a great inroad into the constitution, was this not an intention upon which the clergy were entitled to express their opinions? Of the proposed innovation he would give no opinion. This was not the proper time; but still it was certain that an inroad was intended, and it was equally certain that the clergy ought not to be debarred from expressing their sentiments upon such intention. But they would be debarred if they were to be subject to these calumnies. If the conduct of the clergy at this momentous crisis were narrowly investigated, he was convinced it would be found that they had not put their parishioners forward to petition. As far as his own experience went, he should say that they had rather restrained their parishioners. He said this on the word of the clergy themselves; and allow him to say, that a clergyman had as good a right to be believed upon his word as any noble peer in that House had. Did the noble lord mean to say that it was the duty of a clergyman, that there was any thing in the nature of his office which made it imperative upon him, to resist the desire of his parishioners to petition that House against the claims of the Catholics? For his own part, if his opinions were ever so favourable to the Catholic claims, he should, from principle, be the last man to wish to put an extinguisher on the public voice; and if he did wish it, he should, from common prudence, be the last man to make such an attempt, because he should be quite sure that it would fail. The public voice must be heard, whatever means were used to stifle it; and the only effect those means could produce would be further exasperation of public sentiment. The noble lord thought that the affection of Protestants to the church establishment had decayed during the last half century. He was totally at issue with the noble lord on this point; and he believed that the flame of affection towards the church still burned in the bosom of the country with undiminished brightness. He begged pardon for having intruded on their lordships, but he had felt it impossible to remain silent when he heard such unauthorized slanders cast upon a body of men whom he looked upon it as his duty to defend.

Lord *King* said, that the right reverend prelate need not have told them, for it was quite evident from his speech, that he was not in the House during the commencement of his noble friend's observations. The right reverend prelate told them, that the clergy had not put themselves forward on this subject; and yet at the meeting at Sheffield the speakers were all clergymen: the man in the chair was a clergyman, and no layman was allowed to speak. Now, if the right reverend prelate had heard this, he could not have made the statement he had made, even upon the authority of his own clergy, which doubtless was the best possible for the exculpation of a charge against themselves. He would say that the clergy had put themselves forward, and raised a cry on this as well as on former occasions. The first cry in which the clergy had indulged was, "The church is in danger." This cry was raised by Dr. Sacheverell, and if it had succeeded it would have effected that which it was intended to effect—the prevention of the succession of the House of Hanover. The next cry of the church was the "No-papery cry." Would the right reverend prelate say, that the church had no share in raising that cry? Why, in those times no persons had made themselves more hoarse with bellowing "No-Papery" than the clergy had; and it was his firm belief, that they were now endeavouring to excite the people throughout the country to present petitions against the Catholics.

Lord *Eldon* said, he was convinced their lordships would never arrive at the discussion of the main question so long as there was to be declamation in favour of, and declamation against it, on the presentation of every petition. He could only say, that he knew, and had stated, that the meeting at which this petition was voted was called only for those who were against the Catholic claims; and if any persons of a contrary opinion obtruded themselves upon such meeting, he would say, that they who presided at it did perfectly right in not allowing them to speak. As to the conduct of the clergy, this was not the time to speak of it; and he would not say one word more upon it than this, that the clergy of the church of England would have eternally disgraced themselves, if they had not come forward, and in a temperate way, stated the sentiments of their parishioners to parliament; and the time would come, when, the petitions having been examined,

the highest credit would be reflected upon the clergy on account of those petitions. He knew something about the nature of Yorkshire oratory, when men were out of humour, and he would therefore say nothing about the speeches of the clergy at the one meeting, or about the speeches of the Dissenting ministers at the other. He would confine himself to the petition. It was, as he had stated, a petition from Sheffield and the vicinity, and it was signed by thirty-two thousand persons. As to what had been said respecting the master-cutler, he had spoken with all respect of him; but he was prepared to show that the master-cutler had no more authority to call a meeting at Sheffield than he had.

Lord *Wharncliffe* doubted whether any such number could have been entitled to sign the petition presented by the learned lord, since twenty-seven thousand had signed the other petition. He was quite ready, however, to admit that, numerically, there was a great majority of the country adverse to the claims of the Catholics; but he was convinced that the majority of the well-educated part of the community were either favourable to those claims, or willing to leave the settlement of the question in the hands of parliament.

The Bishop of *Durham* presented a petition from Bishop-Wearmouth, against further concession to the Catholics; and a similar petition from Sunderland.

Lord *Durham* said, he was instructed to state that this petition did not express the real sentiments of the inhabitants of Sunderland. It was not the result of any public meeting; on the contrary, it was set on foot by the curate; having been drawn up by the rector of Bishop-Wearmouth, who was brother to a noble duke opposite. It did not, he was persuaded, speak the sense of the gentry, merchants, and ship-owners, of Sunderland, or even of a majority of the lower class of persons. He did not mean to object to the reception of the petition; but he wished, when a petition of this kind was presented, that their lordships should know from whom it came, and how it was got up; and he understood from a magistrate, that the present petition was signed by a number of women and boys. An individual who lived opposite the Exchange had informed him, that it was signed by two hundred boys. He did not mean to say that the opinion of women and boys was unfit to be laid before their lordships, or unworthy of being noticed; but he wished

the petition to be considered as expressing their opinion, and not as containing the recorded sense of the inhabitants of the town from which it came. He knew the feelings of the inhabitants of Sunderland, and he believed those feelings were decidedly in favour of the removal of all civil disabilities on account of religious opinions.

The Bishop of *Durham* thought it necessary, in justice to the inhabitants of Sunderland, to state, that so far as he knew, the petition was respectably signed. The petition had been forwarded to him; and as it was worded in proper terms, he conceived it his duty to present it. He had not stated to their lordships that the petition was the result of any public meeting; because he had no right to state that of which he had no certain knowledge. He had looked over it; and certainly he had never seen one more respectfully worded.

Lord *Durham* said, the right reverend prelate had adverted to a point which had not been stated by him. He did not say that the right reverend prelate was responsible for the signatures affixed to any petition he might present to that House. He had deemed it necessary to notice the manner in which the petition was signed. It was his duty to do so; and that duty he would perform notwithstanding the tone and language assumed by some members of the right reverend bench. His objection was, that this petition went forth as the petition of the majority of the inhabitants of Sunderland; and as he was sure that such was not the fact, he had risen to make some observations to their lordships on the subject. He did not say that the right reverend prelate was responsible for the manner in which signatures had been obtained. He was only responsible for the language of the petition; and if that language was respectful, it was his duty to present it. He did not say that the right reverend prelate had any hand in drawing up the petition, which he believed was drawn up by the rector of Bishop-Wearmouth; and very great pains had been taken to have it disseminated amongst the poor people. He knew, from authority which could not be doubted, that signatures were obtained in the manner he had stated; and when facts of that kind came to his knowledge, he should feel it to be his duty, notwithstanding any thunders of the right reverend bench, to state those facts.

The Duke of *Richmond* rose to present a petition from the Protestant inhabitants of certain united parishes in the county of Sussex, against granting farther concessions to the Catholics. It was with sincere satisfaction he had heard a noble lord declare, that the clergy of the church of England were opposed to the contemplated measure. It had been generally said, that the clergy were in the habit of following the government; and he was very happy to see, that, in this instance, they had thought it necessary, in defence of the Protestant religion, to make a stand against the government.

The Duke of *Sussex* said, he rose to make one or two observations on a circumstance which occurred in their lordships' House a few evenings ago, when the noble duke presented a petition from Brighton. He had observed, on that occasion, that he had been informed, that a cross was affixed to one of the signatures to that petition; but that statement was immediately contradicted. He had, however, received a letter from the individual from whom he had derived the information, in which that individual expressed his regret at the situation in which he (the duke) was placed; and in order to justify himself, he had communicated to him the affidavit of a physician at Brighton, in which he stated that he had seen the name so marked. This showed what an interest the clergyman took in the business, when he thus allowed the cross of an illiterate man to stand before the signature of more enlightened individuals. He had been informed, on good authority, that in one of the districts of the preventive service, the clergyman had gone round and obtained the signatures of the commanding officer, the lieutenants, and of every one of the privates of that service. Now, he need not observe, that this was contrary to the rules of the military service; and he hoped that his noble friend would take steps to prevent such a proceeding in future.

The Earl of *Morley* rose, to present a petition from the county of Devon, in favour of Catholic emancipation. The prayer of the petition was, that their lordships would be pleased to settle the question, by restoring to the Catholics those privileges of which they were at present deprived; and the argument by which that prayer was supported was, that the petitioners saw no other way of settling the question; since it could not be consi-

dered as settled, whilst millions of persons were excluded from those privileges. Such was the prayer of the petition; and to that point, perhaps, he ought to confine the observations with which he meant to trouble their lordships; because, unquestionably, the essence of a petition was the argument by which it was supported; and petitions, however numerous signed, containing unreasoned opinions, however respectable the petitioners might be, could in his opinion, but slightly affect the judgment of their lordships. He was the more desirous of offering a few observations to their lordships, because a sense of public duty had prompted him to take a conspicuous part at the meeting, at which a different petition was agreed to. A noble friend of his (the earl of Falmouth) had, on a former evening declared, that the people of Devon and Cornwall, were opposed to the Roman Catholics, in the proportion of a hundred to one. Now, if such a statement had been made, he did not conceive that it was a correct one. What, he would ask, was the character of the meeting at which the petition presented by a noble friend of his (lord Rolle) on Monday se'nnight, was agreed to? His noble friend who presented that petition, had acted with great good sense and moderation. He saw the propriety of not agitating a large and populous county, and in the requisition for convening that meeting, his noble friend's name did not appear, although he was present at the meeting. He believed the meeting was projected by some gentlemen in the neighbourhood of Exeter; and certainly the object which they had in view was supported by great exertion and activity, on the part of those who called the inhabitants together. Every effort was made to induce the attendance of individuals; some of whom resided at a considerable distance. One gentleman in the neighbourhood met some of his own tenants on the road, and on asking them where they were going, he was answered, to Exeter Castle, to attend the meeting, where they were to meet some person to marshal them, and tell them what they were to do; and this he believed they did, contrary to the wishes of those with whom they were more immediately connected. Allusion had been made to a reverend fugleman, who had attended on that occasion, and regulated the display of flags and placards by signal—and he had seen them displayed

all at once, as if by signal, but that this was done by the reverend gentleman, he, although present, could not assert. The reverend gentleman had been attacked in the newspapers, for his conduct on the occasion, which he had answered; and this was his account of the manner in which the meeting had been got up: It was fitting, he said, that the most needy should have assistance to enable them to come up and vote, and a subscription was entered into for that purpose, and they had three shillings a day. The reverend gentleman added, that they must be but indifferently informed on the points in dispute. And yet these were the people who were called on to assist in getting up a petition against the Catholics. With respect to that petition, he did not mean to cavil at the manner in which it was signed. By the assistance of the clergy, in every parish, it had received the signature of between twenty thousand and thirty thousand persons. But lest it should have too much weight with their lordships, it was deemed proper to get up another petition, signed by persons competent to form an opinion. That petition was signed, first of all, by nearly the whole of the resident nobility of the county, and, by between two thousand and three thousand landed proprietors. It was idle to suppose that this question could remain in its present state. He had always been the warm supporter of the Catholic claims; and now when they came recommended from the throne, he felt that the time had arrived for the settlement of them.

The Earl of *Falmouth* observed, that his noble friend had been misinformed with respect to what he said relative to the feeling which prevailed in the county of Devon. He certainly had said that, at the meeting which he had attended in Cornwall, the numbers were as a hundred to one against the Catholic claims. With respect to Devonshire, his observation was, that, in his opinion, nine-tenths of the population of that county were opposed to the Catholics.

Lord *Wharnccliffe* presented a petition from the corporation of London, in favour of the Catholic claims. The noble lord said, he considered such a petition as the best criterion of public opinion in this great metropolis, on the important question of Catholic emancipation. This was the first time the corporation had petitioned for the removal of the grievances

affecting the Roman Catholics. Twenty years ago they presented a petition against concession: for the last twenty years they had been silent on the subject; and now, for the first time, they came forward to petition in its favour. This petition therefore afforded a decided proof of the progress of public opinion on the subject, and well deserved their lordships' most serious attention.

The Bishop of *Llandaff* rose, to present a petition against the Catholic claims, from *Llandaff*. The petition, he said, was most numerously signed, and it was not open to any of the objections which had been raised against some of the petitions. Especial care had been taken that no persons under age should sign it; and the signature of no individual had been affixed except with his own assent. This was the only petition that had been intrusted to him from his diocese against the Catholic claims. He had to state to their lordships, that the petitioners expressed their fears that any change in the existing laws would be an inroad upon the constitution: but at the same time, he would take the liberty to say, that he did not quite participate in the fears expressed by the petitioners, and that he could not concur in the opinion which they seemed to entertain, that any alteration in the laws affecting the Roman Catholics, which were passed in the reign of Charles the 2nd, would be an inroad on the constitution, as settled at the Revolution.

The Earl of *Harrowby*, in rising to present a petition in favour of the Catholic claims, from a parish in Staffordshire, stated, that the petition was most respectably signed by a number of Protestants, who, having known and respected Catholics in the various relations of private life, expressed their opinion, that they were equally capable of fulfilling the duties of any public situation. The noble lord said, he was averse to the practice of taking up their lordships' time with discussions on the presentation of petitions, but at the same time he trusted, as this was the first opportunity he had had of expressing his sentiments, that he should not be considered as trespassing on their lordships in saying a few words upon this occasion. In presenting this petition in favour of the relief of his majesty's Roman Catholic subjects, he felt bound to express his admiration at the conduct adopted by his noble friend to his right (the duke of Wel-

lington), who had been hitherto opposed to the question, but who now, from a sense of duty—and he believed, in his conscience, that a sense of duty alone had influenced the noble duke in this instance—had thought fit to throw aside long-cherished prejudices—prejudices which a man of less exalted principle would not so easily cast away—and had at length brought forward that measure, which he (lord Harrowby) confidently trusted would prove to be the salvation of the country. There were two kinds of courage; the one the noble duke had exhibited in fighting the battles and achieving the glories of his country; the other he now displayed in his present glorious undertaking. He would take the liberty to say, that though those two different species of courage could not be compared, he was decidedly of opinion, that a right hon. gentleman in another place—who was at that moment engaged in developing the measures of the government—had been exceeded by no one in the sacrifice which he had made to the imperious sense of his public duty, and that no greater degree of moral courage had ever been exhibited by any individual, than by that right hon. gentleman, in thus relinquishing his opinions for the safety and preservation of the state. If the measures now about to be brought before the other House would, as he had every reason to think they would, close the discussion on this question in a satisfactory manner, and for ever, the names of the persons who had achieved such an important object, would descend to posterity with unrivalled lustre, and that they would be long and deservedly celebrated for having exposed themselves to much temporary obloquy, for the purpose of attaining a great and permanent good.

HOUSE OF COMMONS.

Thursday, March 5.

At ten o'clock in the morning, persons began to assemble in the avenues of the House of Commons, and although it was distinctly understood, that lord Chandos had declared his determination to persevere in his motion for calling over the House, and, consequently, that the gallery would not be opened until after six o'clock, they remained at their posts, and were gradually joined by others, until an immense crowd had collected. When

the gallery was at length opened, which was at a few minutes past six, the rush was tremendous; in two minutes not a seat was unoccupied, and the doors and lobby were crowded with people anxious to avail themselves of any resignations that heat, pressure, and fatigue might occasion.

MEASURE FOR THE REMOVAL OF THE ROMAN CATHOLIC DISABILITIES.] Mr. Secretary *Peel* rose and said * :—Sir, I move in the first place, that that part of his Majesty's most gracious Speech, at the opening of the Session, which relates to the affairs of Ireland, and which recommends to Parliament the consideration of the Laws imposing civil disabilities on his Roman Catholic subjects, be read.

The Clerk then read it as follows:—

"The state of Ireland has been the object of his Majesty's continued solicitude.

"His Majesty laments that, in that part of the United Kingdom, an Association should still exist, which is dangerous to the public peace, and inconsistent with the spirit of the Constitution; which keeps alive discord and ill-will amongst his Majesty's subjects; and which must, if permitted to continue, effectually obstruct every effort permanently to improve the condition of Ireland.

"His Majesty confidently relies on the wisdom and on the support of his Parliament; and his Majesty feels assured that you will commit to him such powers as may enable his Majesty to maintain his just authority.

"His Majesty recommends that when this essential object shall have been accomplished, you shall take into your deliberate consideration the whole condition of Ireland, and that you should review the Laws which impose Civil Disabilities on his Majesty's Roman Catholic subjects.

"You will consider whether the removal of those disabilities can be effected consistently with the full and permanent security of our Establishments in Church and State, with the maintenance of the Reformed Religion established by Law, and of the Rights and Privileges of the Bishops, and of the Clergy of this Realm, and of the Churches committed to their charge.

"These are institutions which must

ever be held sacred in this Protestant Kingdom, and which it is the duty and the determination of his Majesty to preserve inviolate.

"His Majesty most earnestly recommends to you to enter upon the consideration of a subject of such paramount importance, deeply interesting to the best feelings of his people, and involving the tranquillity and concord of the United Kingdom, with the temper and the moderation which will best ensure the successful issue of your deliberations."

Mr. Secretary *Peel* then addressed the House as follows:

Mr. Speaker; I rise as a minister of the King, and sustained by the just authority which belongs to that character, to vindicate the advice given to his Majesty by a united Cabinet—to insert in his gracious Speech the recommendation which has just been read respecting the propriety of taking into consideration the condition of Ireland, and the removal of the civil disabilities affecting our Roman Catholic fellow-subjects. I rise, Sir, in the spirit of peace, to propose the adjustment of the Roman Catholic question—that question which has so long and so painfully occupied the attention of Parliament, and which has distracted the councils of the King for the last thirty years. I rise, Sir, to discuss this great question in the spirit inculcated in one of those simple and beautiful prayers with which the proceedings of this House were on this day auspicated. In that solemn appeal to the Almighty Source of all wisdom and goodness, we are enjoined to lay aside all private interests, prejudices, and partial affections, that the result of our councils may tend to the maintenance of true religion and justice; the safety, honour, and happiness of the King; the public wealth, peace, and tranquillity of the realm; and the uniting and knitting together of the hearts of all persons and estates within the same in true christian charity.

Sir, I approach this subject, almost overpowered by the magnitude of the interests it involves, and by the difficulties with which it is surrounded. I am not unconscious of the degree to which those difficulties are increased by the peculiar situation of him on whom the lot has been cast to propose this measure, and to enforce the expediency of its adoption. But, Sir, through all these difficulties (be they of a public or a personal character,

* Inserted with the permission and approbation of Mr. Secretary *Peel*.

however disproportionate to my capacity, or galling to my feelings) I am supported by the consciousness that I have done my duty towards my Sovereign and towards my country; and that I have fulfilled the obligations of the solemn oath to his Majesty which I have taken as his responsible minister, namely, "that I would in all matters to be treated and debated in Council, faithfully, openly, and truly declare my mind and opinion, according to my heart and conscience." According to my heart and conscience, I believe that the time is come when less danger is to be apprehended to the general interests of the empire and to the spiritual and temporal welfare of the Protestant Establishment, in attempting to adjust the Catholic Question, than in allowing it to remain any longer in its present state. I have stated, on a former occasion, that such was my deliberate opinion; such the conclusion to which I found myself compelled to come by the irresistible force of circumstances; and I will adhere to it, aye, and I will act upon it, unchanged by the scurrility of abuse; by the expression of opposite opinions, however vehement or however general; unchanged by the deprivation of political confidence, or by the heavier sacrifice of private friendships and affections. Looking back upon the past, surveying the present, and forejudging the prospects of the future, again I declare that the time has at length arrived when this question must be adjusted.

I have been called upon to state the reasons which have swayed me in the adoption of the course I now advocate, and which is in opposition to that which I have so long pursued. And for the satisfaction of those who have made this appeal to me, and for the satisfaction of the people of this country, I will endeavour to make out the case I have been challenged to establish.

I am well aware, Sir, that I speak in the presence of a House of Commons, the majority of which is prepared to vote in favour of an adjustment of this question; upon higher grounds than those on which I desire to rest my arguments. To them it is needless to appeal. But I trust that, in what I shall think it necessary to say less with the personal object of self-vindication than with a view to satisfy the great body of the people of this empire; those who require no reasoning to convince them, will bear with me while I go through the

details of an argument which has pressed on my mind with the force of demonstration. Sir, I have for years attempted to maintain the exclusion of Roman Catholics from Parliament and the high offices of the State. I do not think it was an unnatural or unreasonable struggle. I resign it, in consequence of the conviction that it can be no longer advantageously maintained; from believing that there are not adequate materials or sufficient instruments for its effectual and permanent continuance. I yield, therefore to a moral necessity which I cannot control, unwilling to push resistance to a point which might endanger the Establishments that I wish to defend.

Does that moral necessity exist? Is there more danger in continued resistance than in concession accompanied with measures of restriction and precaution?

My object is to prove, by argument, the affirmative answer to these Questions.

In that argument, I shall abstain from all discussions upon the natural or social rights of man. I shall enter into no disquisitions upon the theories of government. My argument will turn upon a practical view of the present condition of affairs, and upon the consideration, not of what may be said, but what is to be done under circumstances of immediate and pressing difficulty.

Sir, the outline of my argument is this: we are placed in a position in which we cannot remain. We cannot continue stationary. There is an evil in divided cabinets and distracted councils which can be no longer tolerated. This is my first position. I do not say, in the first instance, what we are to do in consequence. I merely declare that our present position is untenable. Supposing this established, and supposing it conceded, that a united government must be formed; in the next place I say, that that government must choose one of two courses. They must advance, or they must recede. They must grant further political privileges to the Roman Catholics, or they must retract those already given. They must remove the barriers that obstruct the continued flow of relaxation and indulgence, or they must roll back to its source the mighty current which has been let in upon us, year after year, by the gradual withdrawal of restraint. I am asked what new light has broken in upon me? why I see a necessity for concession now, which was not evident before?

True it is, that this House of Commons did last year, for the first time, recognise the principle of concession; that, last year, the division between the two Houses of Parliament was renewed. But the same events, it is said, have happened before, and, therefore, the same consequences ought to follow. Is this the fact? are events in politics like equal quantities in numbers and mathematics, always the same? Are they like the great abstract truths of morality, eternal and invariable in their application? May not the recurrence, the continued recurrence of the very same event totally alter its character, at least its practical results? Because divisions between the Lords and Commons can be tolerated for five years or ten years, must they therefore be tolerated for ever?

So far as my own course in this question is concerned, it is the same with that which suggested itself to my mind in 1825, when I was his Majesty's principal minister for the Home Department, and found myself in a minority of this House upon this question. When I then saw the numbers arrayed against me, I felt that my position as a minister was untenable. The moment, Sir, that I, the minister responsible for the government of Ireland, found that I was left in a minority on the question, which was of paramount interest and importance to that country, that moment I sought to be relieved from the duties and responsibility of office. I stated to the earl of Liverpool, who was then at the head of the Administration, that in consequence of the decision given against me in this House, it was my anxious wish to be relieved from office. It was, however, notified to me, that my retirement would occasion the retirement of the earl of Liverpool; and that such an event would at once produce a dissolution of the Administration, the responsibility of which would rest with me. I hold in my hand, Sir, the proof of this assertion: I would wish to be spared the necessity of using it, but I am ready to produce it to any person who may wish to see it.

But to proceed. Sir, I was told that the consequence of my retirement would be the immediate dissolution of the government. Lord Liverpool was then approaching the close of his career. I had entered public life under his auspices, and I shrunk from the painful task of causing his retirement, and the dissolution of his majesty's existing government. If I had acted

simply in obedience to my own wishes, I would have resigned. I was induced, however, to retain office, and to ascertain the result of another appeal to the country by a general election. In 1826, there was a new parliament. In 1827, a majority in this House decided against the Catholic question. In 1828, however, the House took a different view of the matter, and though it did not pass a bill, it agreed to a resolution favourable to the principle of adjustment. That resolution being passed, I was again in the situation in which I had been placed in 1825, and I determined to retire from office. I intimated my fixed intention in this respect, to the duke of Wellington; but I felt it my duty to accompany that intimation with the declaration—not only that I would not, in a private capacity, any longer obstruct a settlement which appeared to me ultimately inevitable, but that I would advise and promote it. Circumstances occurred, as I have already explained, under which I was appealed to, to remain in office; under which I was told, that my retirement from office must prevent the adoption of the course which I was disposed to recommend. I resolved, therefore, and without doubt or hesitation, not to abandon my post, but to take all the personal consequences of originating and enforcing, as a minister, the very measure which I had heretofore opposed.

I was called upon to make those sacrifices of private feeling, which are inseparable from apparent inconsistency of conduct—from the abandonment of preconceived opinions—from the alienation of those with whom I had, heretofore co-operated. Sir, I have done so; and the events of the last six weeks must have proved, that it is painful in the extreme to prefer, to such considerations, even the most urgent sense of public duty.

“’Tis said, with ease—but oh! how hardly tried
By haughty souls to human honour tied—
Oh! sharp convulsive pangs of agonizing pride.”

Sir, I return to objects of more public concern. I detailed, on a former occasion, that a dreadful commotion had distracted the public mind in Ireland—that a feverish agitation and unnatural excitement prevailed, to a degree scarcely credible, throughout the entire country. I attempted to show that social intercourse was poisoned there in its very springs—that family was divided against family,

and man against his neighbour—that, in a word, the bonds of social life were almost dis severed—that the fountains of public justice were corrupted—that the spirit of discord walked openly abroad—and that an array of physical force was marshalled in defiance of all law, and to the imminent danger of the public peace. I ask, Sir, could this state of things be suffered to exist, and what course were we to pursue? Perhaps, I shall be told, as I was on a former occasion, in forcible, though familiar language, that “this is the old story! that all this has been so for the last twenty years, and that therefore there is no reason for a change.” Why, Sir, this is the very reason for the change. It is because the evil is not casual and temporary, but permanent and inveterate—it is because the detail of misery and of outrage is nothing but “the old story,” that I am contented to run the hazards of a change. We cannot determine upon remaining idle spectators of the discord and disturbance of Ireland. The universal voice of the country declares that something must be done; I am but echoing the sentiments of all reasonable men, when I repeat that something must be done. I wish, however, to take nothing for granted, but to found my argument, not upon general assent, but upon unquestionable facts. I ask you to go back to a remoter period than it is generally the habit to embrace in these discussions—I ask you to examine the state of his majesty’s government for the last thirty-five years, and to remark the bearing of the Catholic question upon that government—the divisions it has created amongst our statesmen—the distraction it has occasioned in our councils—and the weakness it has consequently produced. I ask you then to observe what has been the course of parliament for the same period. And lastly, what has been the consequence of the divisions in the councils of the king, and of disunion between the two Houses of parliament—the practical consequences as to Ireland.

I begin with the year 1794. From that period there has been disunion in the government on account of the Catholic question, and the administration of Irish affairs. When Mr. Pitt associated the duke of Portland and lord Fitzwilliam in power, division prevailed in the cabinet. Mr. Pitt was then prepared to offer unqualified resistance to the claims of the

Roman Catholics; but he took the duke of Portland, Mr. Windham, and lord Fitzwilliam, into the government, and they differed with him on the course that ought to be taken in respect of this question. Lord Fitzwilliam went to Ireland in 1794; he favoured the claims of the Roman Catholics, and from that moment dissention has existed in our administrations upon that subject. His government came to a termination in a few months—On what ground? On account of a difference about the Catholic question. Mr. Pitt continued to conduct the public councils for some time longer. In the interim occurred the distractions of Ireland in 1798 and 1799. In 1801, Mr. Pitt’s government came to a close: on what ground? A difference about the Catholic question. Mr. Pitt resumed the government in 1804. The manner in which his cabinet was composed showed that it was not formed on the principle of unqualified resistance. Mr. Pitt died in 1806, and his government was succeeded by another, which endured about eighteen months, and then came to a termination: on what ground? A difference, again, about the Catholic question. In 1807, Mr. Perceval undertook the administration of affairs, and it was undoubtedly quite true that, from that period until his death, the government did resist the consideration of this question; but it did not resist it on permanent grounds. Lord Castlereagh and Mr. Canning were advocates of the Catholic claims, and only acted, at that particular period, in opposition to them on the ground of the conscientious scruples of the king. Mr. Perceval lost his life in 1812, and after his death, another course of policy, with respect to this question, was adopted. This was attributed to the circumstance of his death, and it is said that, had he lived, a united government, pledged to the unqualified resistance of the measure, would have been permanently established. I doubt this fact. There was an important event which must have influenced the formation of a government. The restrictions on the Regency were removed at this period, and the parliament elected in 1807, decided by a majority of 129;* to take the question into consideration. I do believe that, if Mr. Perceval had lived, he would have continued to offer unqualified re-

* See First Series of this Work, vol. xxlii. p. 710.

sistance to the Catholic claims; but I do not think that Mr. Canning, or lord Castlereagh, would have been parties to a government formed on that principle. Since 1812, the Catholic question has been what is called a neutral question, each member of every cabinet being allowed to take that course in respect of it which he thought best, and I must say that the consequences have been most unfavourable to the administration of the affairs of this country. The cabinets have been in general nearly equally divided upon the subject—sometimes exactly balanced—sometimes a preponderance of a single voice in the cabinet in favour of or against the question, Ireland has been governed, almost inevitably governed, upon the same principle—at one time, a Lord-lieutenant adverse to the claims, and a Secretary favourable—at another time, a Lord-lieutenant favourable, and a Secretary adverse. The law officers of Ireland divided in opinion—the subordinate members of the Irish government divided also. What has been the consequence? Jealousies and suspicions between honourable men embarked in the same cause, and subject to the same responsibilities—against their will, they have been made the heads of opposite parties in Ireland. The differences actually existing have been exaggerated in public impression in a preposterous degree. Every expression which may have casually escaped from public servants, has been scrutinized by zealous partizans, and a construction put upon speeches in this House, and upon declarations out of it, of which their authors never dreamed. While they were living on cordial terms, or differing in public matters on this single question, the spirit of party in Ireland has viewed them in the light of bitter enemies—checks and spies upon each other—and has construed the most trifling circumstances, appointments to office, or removals from it, in respect to which there was entire concurrence, as the indications of mutual hostility, and of the preponderating influence of one or other of the parties. Such is the evil which has been practically experienced in Ireland—which has been tolerated too long—which which has paralyzed the vigour of the executive government, and defeated its best intentions—and which it is absolutely necessary—(I say not now in what manner, but in some manner or other) to terminate.

From a consideration of the principle on which the executive government has been conducted, let us now turn to the proceedings of the legislature, and the demonstration of public opinion in this country. From the year 1807 to the present moment, there have been five parliaments, consequently five separate appeals to the sense of the constituent body of the empire. The House of Commons elected for four of these five parliaments has, on some occasion or other, decided in favour of the adjustment of the Catholic Question. The House of Commons of the fifth parliament decided against the claims, but by what majority? A majority of two; two hundred and forty-three members against concession; two hundred and forty-one in favour of it. Refer to the divisions on the Catholic question in this branch of the legislature for the last sixteen years, and see how nicely the balance of opinion in a neutral government has corresponded with that of the House of Commons. In 1813, the Roman Catholic Relief Bill was carried by a majority, after the second reading, of forty-two. The admission to parliament was negatived by a majority of four. In 1816, the majority against the question was thirty-one. In 1819, it was two. In 1821, the Relief Bill passed by a majority of nineteen. In 1822, the bill for the restoration of Roman Catholic Peers to seats in the House of lords was carried by a majority of twelve. In 1825, the general Relief Bill was sent to the lords by a majority of twenty-one. In 1827, the consideration of the question was rejected by a majority of four. In 1828, it was admitted by a majority of six. What is the result? Each party can paralyse the other, nothing effectual can be done, either by the means of coercion or relief; we advance a step this year and recede a step the next, and rejoice or lament in our petty gains or losses. But what becomes of Ireland, and what may become of her, if these party conflicts without a result shall continue beyond the present season of general tranquillity?—*“Sedemus desides domi—inter nos altercantes, præsentī pace læti, nec cernentes ex otio illo brevi multiplex bellum redditurum.”*

Sir, this House of Commons has, after trembling in the nice balance of opinion, at length inclined on the side of concession and relief. Why should this House of Commons be considered, as some profess

to consider it, an unfair representative of the public opinion upon this great question? Was it not elected at a period when the public mind was sufficiently alive to the Catholic question? Was it not sufficiently acquainted with the efforts made to pass Catholic Relief Bills through parliament, and with the state of Ireland? Sir, this House was elected shortly after an intense excitement of the public feeling by the proceedings of the Catholic Association in 1825. The bill to suppress that Association had been passed, and the discussion on the question was not brought to a close in less than five nights. The general election, Sir, was the time for the public opinion to declare itself, and to afford us the materials for a successful contest. But, Sir, this proper occasion having been suffered to pass by, it is now rather hard that we should be blamed for not carrying on a bootless resistance. It is a hard thing, Sir, to call upon us, the responsible ministers of the Crown, to carry on resistance without furnishing us with those instruments by which alone the battle could have been fought with success. For, Sir, I ask you, when we are told of the feeling of the country against the Catholic question, to look at the returns of the last parliament. If unanimous discontent pervades the people, it is of but a short date. If it has long existed, it ought to have been shown, not merely by public meetings, but by the exercise of the elective franchise. It is not fair to throw upon ministers the whole responsibility of resigning a long-continued resistance, when that resistance was paralysed by the manner in which the people had exercised the elective franchise. I asked an honourable friend of mine, from pure curiosity, to make a return of the members sent to parliament for the fifteen largest counties, and twenty most populous towns of England, and to ascertain in what manner the votes of those members were given on this question. This is a practical and constitutional method of determining the sense of the people. Sir, in the parliament of 1826, the feelings and opinions of the counties and towns which have been thus selected, selected, I repeat, merely on the ground that they are the most important in point of population and influence, have been thus expressed in parliament. Yorkshire has given no opinion; she has sent us two representatives that vote for, and two that vote against, the question. [Here

some honourable member interrupted the right hon. gentleman, by saying that Yorkshire had an opinion upon the question.] I am not presuming to speak as to what may be the present opinions of Yorkshire. I only say it has expressed none through its members: and, in this instance, I will be governed by parliament, not by petitions. I know it has been said, that in 1826 the country had not sufficient warning. No, forsooth, we ought to have roused the country by the cry of "No Popery!" Never, Sir, never, under any circumstances. The Parliament, and the Parliament alone, will I ever acknowledge to be the fit judge of this important question. The people at large may express their feelings and opinions, and they should always be received with deference; but, Sir, we are not bound to conform to those opinions, or to refer to their decision questions affecting the general interests of the country, on which it is the peculiar province of Parliament to decide; and, therefore, when I say Yorkshire has expressed no opinion, I mean that it has expressed none in the only way in which it could be made available; it has afforded us no instruments by which we could continue resistance, and, therefore, its opinion (if it has one) comes too late for any practical purpose. I next come to Middlesex, the metropolitan county of England. It sends two members to Parliament, and both of them are in favour of the Catholic claims. Lancashire is the next county in point of population. That county declined to express any opinion on the subject of the Catholic claims; or it suffered that voice to be neutralized. Of the two members it returned to Parliament, one votes for granting further concessions, and one against it. The county of Devon follows the example set by Lancashire, and has expressed no opinion, one of its representatives is for, and the other opposed to, Catholic Emancipation. The county of Kent, which comes next in the order I have described, takes the same course, one of its members votes for the consideration and adjustment of the Catholic Claims, the other for resisting them. Surrey is in precisely the same situation as Kent. Such is the state of things in the counties I have mentioned. These, which are the greatest in point of population, expressed no opinion on the Catholic question, at the last election, though their attention had been fully called to the subject by the proceed-

ings of the last and the preceding parliaments. The county of Somerset is, however, an exception; for besides my hon. friend (sir Thomas Lethbridge) who has long been one of its representatives, and who, no doubt, fairly represented its wishes and feelings, by uniformly voting against any further concessions, it returned another hon. member, who also votes against the Catholic Claims. Norfolk returned two members, both of whom vote in favour of them. From Staffordshire, my own county, two members were returned, who vote on the same side with the members for Norfolk. Dorsetshire expressed no opinion, as one of its members votes for, and the other against further concessions. Essex stands in the same situation. The two members from Hampshire both vote against the Roman Catholics. Lincolnshire is neutralized, its members voting different ways. Gloucestershire, Wiltshire, Warwickshire, and Suffolk, are in the same situation, equally balanced. And this is the history of the feeling manifested at the period to which I have referred in the fifteen largest counties in England. They send collectively thirty-two members, and seventeen of the thirty-two vote for concession. I, therefore, think that that universal disposition to oppose concession, of which we have heard, has no existence; or, if such be not the case, I must conclude that others have abandoned their duty, and have not come forward with that public expression of their wishes and their feelings, which could alone make opposition availing.

Having shown what the sense of the largest counties has proved to be, I will now call the attention of the House, in the same way, to what has been done by the largest towns, the list of which includes about twenty. London returns four members to Parliament, and two of those last sent to Parliament vote for, and two against, Catholic Emancipation. Westminster sends two, and both are in favour of it. The two members for Southwark are both in favour of it. Liverpool sends two members; one is for Emancipation, the other is adverse to it. From Bristol two members have been sent who are both against further concessions. Norwich sends two members, of whom one is for and one against. Nottingham sends two members, and both are in favour of the settlement of this question. From Newcastle-upon-Tyne two members are sent, both in fa-

your of it. Leicester gives one voice against concession. Hull is neutral. From Preston two members are returned, who both vote in favour of Catholic Emancipation. Exeter sends two, who are both against it. The voice of Coventry is neutralized. Such is the case with York. Both the members for Chester vote in favour of further concessions to the Catholics. Both those returned for Great Yarmouth do the same. From Derby the members returned are both in favour of considering this question. Of Ipswich I am uncertain. Of the two members sent from Worcester, one did not vote at all, the other did vote, against concession. The two members for Aylesbury vote on different sides. To these I may add Carlisle, which is in the same situation as the place I last named; and of the two members returned for Colchester, one voted against concessions to the Catholics, the other gave no vote at all. The result, however, of the analysis made of the returns for the twenty largest towns is this; that eighteen members are against concession, and at least twenty-five or twenty-six vote in favour of it. These things, then, I say, prove to me that the voice of the people was not deliberately pronounced against the consideration of this great question, at that period when it might have been pronounced with most effect. I therefore conclude, that it does not exist. But, be this so, or be it not so, I repeat, that it is hard upon those who have fought the battle against making further concessions to the Catholics, for the last ten years, with Houses so nearly divided, with forces so nearly equal, now to charge them with want of zeal, because they consider it would be useless and injurious to continue the struggle longer.

As another indication of public opinion and zeal in the Protestant cause, let us refer to the debates in this House. I hold in my hand a list of the speakers on each side of the main question for the last ten years. On the side of resistance I find a constant recurrence of the same speakers, year after year, with scarcely the addition of a new advocate. If I look to the young members of the House, can I conceal from myself, when I consider the prospects of permanent resistance, that the rising talent of this House is almost unanimous against it? That session after session we have had defections from our side, and that we cannot claim a single convert? Are these

indications to be neglected? Are they not just elements of consideration, to be weighed by those who must calculate, if they are prudent legislators, but, above all, if they are responsible ministers, to what extent resistance can be safely and wisely carried? And yet, the few who have borne the brunt of this battle for ten years are to be taunted as responsible for failure, we are not to be at liberty to consider what support we have had, in the division, from numbers; or in the debate, from the active zeal and ability of those who have been voting with us. Why is it that the eagerness and the vehemence of opposition have been reserved for this occasion? Why has not the member for Kent, so qualified to take an active part in debate, why has he not borne his part in the protracted contests of former years? It is within these walls, and within these walls alone, that the struggle could have been maintained with effect; and the victories of Penenden Heath are no compensation for repeated defeat here.

I have now, Sir, described the state of the king's government in reference to the Roman Catholic Question, for the last thirty-five years, and I have detailed the progress of our discussions in this House, the equal balance of our opinions, the continued discussion for sixteen years between the Lords and Commons on a great question of national policy. Let us proceed to inquire what has been the condition of Ireland during these unfortunate dissensions? I will not presume to affirm that the dissensions in our councils, and the distractions of Ireland, stand to each other in the exact relation of cause and effect; but this I affirm, that they have been very nearly concurrent, and that there is no present prospect of the restoration of peace to Ireland, and of authority and vigour to its government, unless our own differences can be, by some means or other, reconciled. I will not prophesy what may be the ultimate effect of the measures which I propose; but the true recommendation of them I apprehend to be, that it is scarcely possible that we can change for the worse. Let us cast a rapid glance over the recent history of Ireland, trace it from the Union, the period when the retirement of Mr. Pitt from the king's councils brought more prominently forward the differences of public men in regard to the Catholic Question. What is the melancholy fact? that for scarcely one

year, during the period that has elapsed since the Union, has Ireland been governed by the ordinary course of law.

In 1800, we find the Habeas Corpus Act suspended, and the act for the Suppression of Rebellion in force. In 1801, they were continued. In 1802, I believe they expired. In 1803, the insurrection for which Emmett suffered broke out: Lord Kilwarden was murdered by a savage mob, and both acts of parliament were renewed. In 1804, they were continued. In 1806, the west and south of Ireland were in a state of insubordination, which was with difficulty repressed by the severest enforcement of the ordinary law. In 1807, in consequence chiefly of the disorders that had prevailed in 1806, the act called the Insurrection Act was introduced. It gave power to the Lord-lieutenant to place any district by proclamation out of the pale of the ordinary law—it suspended trial by jury—and made it a transportable offence to be out of doors from sunset to sunrise. In 1807, this act continued in force, and in 1808, 1809, and to the close of the session of 1810. In 1814, the Insurrection Act was renewed; it was continued in 1815, 1816, and 1817. In 1822, it was again revived, and continued during the years 1823, 1824, and 1825. In 1825, the temporary act intended for the suppression of dangerous associations, and especially the Roman Catholic Association, was passed. It continued during 1826, and 1827, and expired in 1828. The year 1829 has arrived, and with it the demand for a new act to suppress the Roman Catholic Association.

Shall this state of things continue without some decisive effort at a remedy? Can we remain as we are? Have I not established the first step in my argument, that our present position is not tenable; that the system of neutral governments and of open questions ought to be and must be abandoned; and that there is no safety excepting in the united councils, and joint responsibility of the king's government?

This being admitted, it remains to be determined on what principle shall those councils be united—and for what object shall that responsibility be incurred? The choice is between permanent, unqualified resistance to concession on the one side, and the settlement of the Catholic question on the other. There is no intermediate line to be discovered—there is no useful purpose to be promoted—either by

resistance, rested upon grounds of mere temporary expediency, or by the hesitating grant of a few additional privileges to the Roman Catholics. By the first course, you would concede the principle of resistance; by the second, you would give new power, without giving satisfaction. The main question is this—Can a government be formed, capable of conducting, with vigour and success, the general administration of this country, upon the principle of decisive and permanent opposition to further concession? I will not take for granted that it cannot. The question involves considerations most important to my argument—because, if it be answered, as I think it must be answered in the negative, I establish at once my own justification, and the necessity of an immediate settlement of the Catholic question.

Can, then, a government be formed, united on the principle of permanent exclusion? It may perhaps be formed, and it may determine to resist the Catholic claims, but how will it govern Ireland? Questions much more difficult will occur, than in what mode a motion in the House of Commons can be best debated or resisted? To come at once to the point—what is to be done with the Catholic Association? “Suppress it,” is the ready answer. But by what means? The existing state of the law provides no effectual means of suppression; at least such is the deliberate and unanimous opinion of the law-officers of England and of Ireland. They have deprecated prosecution, either under the Convention act of 1793, or under the common law.

It seems taken for granted, Sir, by many in this House, that the Association is an evil of recent occurrence—that the law has been plain—and that nothing was requisite but the due enforcement of it by the attorney-general for Ireland. But, Sir, the evil is one of long continuance—it has assumed various shapes, and has survived more than one attempt at its extinction. Read the Report of the Committee of the House of Lords in Ireland, in 1793; you will find the same evil described in terms which are but too appropriate to the present. “Sums of money,” says the report “continue to be levied upon the Roman Catholics in all parts of the kingdom, by subscriptions and collections at their chapels.” Again, “The existence of a self-created representative body, of any description of the king’s subjects, taking

upon itself the government of them, and levying taxes or subscriptions to be applied at the discretion of such representative body, or of persons deputed by them, is incompatible with the public safety and tranquillity.” Look to the debates in this House, and to the proceedings of the Irish government, in the years 1811 and 1812; you will find the same evil in existence: a body representing Roman Catholic feeling, and inflaming Roman Catholic passion. It had another name, but its influence and its effects were nearly the same. The Catholic Committee, as it was called, was appointed in 1810. It consisted of the Roman Catholic peers; the eldest sons of peers; the Roman Catholic baronets; the Roman Catholic prelates; ten persons chosen from each county; five persons from each parish of Dublin; and the survivors of the delegates of 1793.

Legal proceedings were instituted—the verdicts were in our favour. The Catholic Committee was in form suppressed, but it soon revived under another name; and in 1814, a proclamation from the Lord-lieutenant in council, directed the suppression of its successor, the Catholic Convention.

In 1823, the Catholic Association was organized. In 1825, the evil became intolerable. A new law was passed for its suppression, but still the body exists with undiminished power of mischief. What is to be done for its coercion and extinction by the united government that we assume to have been formed? The existing law, in the opinion of legal authorities, affords no sufficient remedy—a new law must be passed. Can it be carried in the present state of the House of Commons is the first question? What shall be its enactments is the second? I hear it now intimated by a high authority in another place, that the common law is, and has been, sufficient for the purpose. Why, then, did lord Eldon, being lord Chancellor at the time, consent to the introduction of the temporary statute of 1825? That same authority has declared, “That the act recently passed will do nothing. That it had been said of the act of 1825, that a coach and six might be driven through it—but that he would undertake to drive the meanest conveyance, even a donkey-cart, through the act of 1829.” If this be so, why has it been suffered to proceed without the suggestion of an amendment?

But let this pass; I refer to those declarations for another object; they contain

admissions that are deserving of more serious consideration. The common law, it appears, has been evaded—new enactments have become necessary. In 1825, we tried the experiment of precise definition and express particular prohibition. In 1829, we give unlimited discretionary authority to the chief governor of Ireland—authority to interdict any meetings from which he apprehends eventual danger. The first experiment has failed—the other, we are told on the authority of lord Eldon, is still more certain of failure. What, Sir, is the inference from these declarations? This, and this alone—that there exists a spirit too [subtle for compression, a bond of union which penal statutes cannot dissolve.

But, let us suppose the preliminary difficulties overcome—the government formed—the House of Commons assenting to the bill for the suppression of the Association—the enactments adequate for their object, and passed into law. This is not all that is requisite—another, and a more important question, is to be answered. What is to be done with the elective franchise in Ireland? The member for the University of Oxford* has told you, that, in the case of a general election, twenty-three counties in Ireland are ready to follow the example of the county of Clare—to withdraw the trust from their former representatives, and to commit it to others, whether locally connected or not, who are devoted to Roman Catholic interests. Be it so; but is it possible, then, to let the franchise remain in its present state? What will be the effect of the formation of a government united on the principle of eternal and uncompromising resistance to the Catholic claims? It will add fuel to the flame in Ireland—increase the existing irritation and excitement—confirm the union between the priesthood and the lower class of freeholders. It is in vain to say, you will give no new power to the Irish Catholic. What will you do with that power—that tremendous power—which the elective franchise, exercised under the control of religion, at this moment confers upon him? “Take it away,” is again the ready answer. But, is it possible to take it away? Will this House of Commons, two hundred and seventy-two members of which voted last year in a majority for the extension of further pri-

viliges to the Roman Catholics—will this House of Commons retract those which have been already granted, upon the invitation of a government pledged against concession at any time, and under any circumstances? There is an alternative no doubt—the immediate dissolution of parliament, and the appeal to the elective body of Great Britain. But you cannot make that appeal, without making a simultaneous appeal to the elective body of Ireland—that body exercising the present franchise, under every circumstance of superadded mistrust, apprehension, and excitement. My deliberate conviction is, that no majority on the Catholic question that you can procure from the representation of Great Britain, will counteract the evil—of severing every remaining tie between the landed proprietor and the Roman Catholic tenantry of Ireland—of confirming the spiritual influence in political matters of the Roman Catholic priesthood—of binding together in the dangerous, but not illegal, exercise of a great constitutional right, the combined and desperate efforts of Roman Catholic wealth, intelligence, numbers, and religion. The infusion into this House of such a representative body, as that which will be sent from Ireland, by a general election in the case supposed, will be a real danger; and I appeal to any man, connected with Ireland, or acquainted with its condition, whether the government of Ireland could conduct, with energy or success, the administration of that country, having opposed to it (as it would have opposed to it) under the circumstances of which we are speaking, a vast majority of the representative body, and of the constituent body.

But, independently of all such difficulties, I should implore any government to pause before it enters upon the task of withdrawing from the Irish Roman Catholics privileges already granted. We cannot replace the Roman Catholics in the position in which we found them, when the system of relaxation and indulgence began. We have given them the opportunities of acquiring education, wealth, and power. We have removed, with our hands, the seal from the vessel, in which a mighty spirit was inclosed—but it will not, like the genius in the fable return within its narrow confines, to gratify our curiosity, and enable us to cast it back into the obscurity from which we evoked it. If we begin to

* Sir Robert Inglis.

recede, there is no limit which we can assign to our recession. We shall occasion a violent reaction—violent in proportion to the hopes that have been repeatedly excited. It must be coerced by new rigours, provoking in their turn fresh resistance. The re-enactment of the penal laws, even if practicable, would not suffice. The trial by jury must be abolished; at least the Roman Catholic must be incapacitated from serving as a juror. What would be the ultimate issue of this contest? A more marked separation of the people of Ireland into distinct and mutually hostile classes—a more complete monopoly of every civil right and franchise for the Protestant—unmixed and unqualified degradation of the Roman Catholic.

Now look at the population of Ireland, and then determine, whether such a system of government is, in the present state of the world, maintainable. According to the census of 1821, the population of Ireland was computed to amount to nearly seven millions of persons. Of them, by a calculation formed by my right hon. friend (Mr. Leslie Foster), deduced from the numbers of children educated in Ireland, five millions are Roman Catholics—two millions Protestants, including the members of the established church and every class of Protestant dissenters. Can the local government of Ireland be con-

ducted through the exclusive instrumentality of two millions out of seven of the population? Surely, government, civil government, means something more than the rigid enforcement of penal law, the suppression of breaches of the peace, and the apprehension of notorious offenders. There is a willing moral obedience, founded on the sense of equal justice, without which the terrors of the law would be vain instruments to secure protection and peace even to the favoured class. If the two millions of Protestants were equally distributed throughout Ireland, the difficulties of administering, through their exclusive agency, the whole progress of government and of the law, might possibly, in the opinion of some persons—certainly not in mine—be overcome. But of the two million Protestants, twelve hundred thousand are residents in one single province—the province of Ulster. In the three remaining provinces we have a population of five millions thus composed—four million two hundred and fifty thousand Roman Catholics; seven hundred and fifty thousand Protestants—a majority of nearly six to one. The disproportion—the inequality of the distribution of the Protestant and Roman Catholic population, are still more striking in the case of individual districts:—

The Population amounts to

In Ulster....	1,993,494	of whom, about	800,000	are Cath. and	1,200,000	Protes.
Leinster	1,757,492	„	1,380,000	„	377,000	
Munster	1,935,612	„	1,735,600	„	200,000	
Connaught ..	1,100,229	„	930,000	„	171,000	

By returns from the clergy of three hundred parishes in Ireland, containing a population of seven hundred and fifty-nine thousand five hundred souls, it appears,

That in three parishes in Munster, there is neither Protestant nor Dissenter—all Catholics.

That in four parishes of Ulster, all are Presbyterians.

That in one hundred and thirty-four parishes of Leinster, there are, of the church of England, 23,000; Dissenters, 1,400; Roman Catholics, 186,300;—Total, 210,700 persons.—Proportion, seven and a half to one.

That in seventy-two parishes of Munster, there are of the church of England, 12,900; Dissenters, 128; Roman Ca-

tholics, 167,500;—Total, 180,528.—Proportion, thirteen to one.

That in twenty-three parishes of Connaught, with a population of 101,600, there are Roman Catholics, 96,800; of the church of England, 4,800; Dissenters, 12.—Proportion twenty to one.

That in nine parishes of Roscommon, with a population of 26,581, there are Roman Catholics, 25,700; Protestants, 881.

These circumstances being duly considered, again, I ask, how is the civil and criminal process of the law to be equally and regularly conducted throughout Ireland, supposing the withdrawing of the powers and privileges already granted to the Roman Catholics to have the effect which I anticipate from it—namely, that

of dividing the population into two distinct classes—one favoured by the law, the other totally estranged from it? It may be said, and truly said, that reliance can be placed upon the army and upon the police; but will England patiently bear the enormous expense of enforcing every civil right of property, of supporting every legal claim for rent or for tithes, by the agency of such expensive instruments? And yet there will be, in many districts at least, no alternative.

These, Sir, are practical and certain, and, I fear, incurable evils, which we must determine to endure, if we resolve to retrace our steps. But are there no contingent misfortunes, upon the occurrence of which, and upon the issue of which, if they should occur, a prudent government must calculate? What will be the result of civil insurrection?—What will be that of foreign war? Will this system of continued exclusion, or, I should rather say, of deprivation and coercion, be proof against such calamities? If it be not, is it wise to adopt it? We have had, in the recent history of Ireland, experience of the effect of both these calamities—experience of the practical bearing of each of them on the Catholic question. Take the example of foreign war. In 1792, bold hearts and able heads presided over the councils of this country—there was no disposition to yield to the Roman Catholic claims—no want of Protestant feeling in Ireland to make resistance effectual. In 1792, the Roman Catholics petitioned for partial relief. The grand juries of Ireland were nearly unanimous against any concession. The Irish House of Commons not only refused relief, but, by an immense majority, rejected the petition which prayed for it—it refused permission that it should lie upon the table. The vote was taken upon that motion: two hundred and eight members voted for the rejection of the petition; twenty-three only against it.

In 1793, broke out the revolutionary war with France; and in 1793, the session of the Irish Parliament opened with a recommendation from the Crown to consider the condition of the Roman Catholics, and to repeal some of the disabling laws. Mr. Pitt was at the head of the Government;—Mr. Dundas, the Secretary of State, in correspondence with Ireland; and at their pressing instance was this recommendation given. What

was the consequence? The hasty grant of that power to the multitude and physical strength of the country, which has been conferred by their unrestricted admission to the elective franchise. Let us profit by the example of the past, and not feel too confident that stern resolutions of uncompromising resistance, formed in the time of peace, can be rigidly maintained under the pressure of foreign war.

We have also had the sad experience of that other and greater calamity—civil discord and bloodshed. Surely it is no unmanly fear that shudders at its recurrence—no degenerate impulse that prompts one to exclaim, with lord Falkland—“Peace! Peace! Peace!”—that looks out with anxiety for the alternatives by which civil war may be honourably averted; which may rescue the natives of the same land, and the fellow-subjects of the same king, from the dire necessity of embroiling their hands in each other’s blood.—

Coeant in federa dextræ

Si datur—ast armis concurrant arma cavete.

Let us again appeal to history, as to the issue of civil war. Let us refer to the records of 1798, and well consider what has been the bearing of a defeated rebellion on the claims of the Roman Catholics. The character of that rebellion is written in the Statute-book. The preamble of the law, which contributed to its suppression, declared it to be “a wicked rebellion—that desolates and lays waste the country by the most savage and wanton violence, excess, and outrage—that has utterly set at defiance the civil power—and has stopped the ordinary course of justice and of the common law.” This rebellion, thus characterized, was utterly defeated, and suppressed by force. There was the utmost indignation at the atrocities committed—there was every stimulant to retaliation and revenge—complete triumph on the part of the government,—but was there an end of the Catholic Question? No, Sir, so far from it, the ministers, by whose fortitude the rebellion was suppressed,—Mr. Pitt, Mr. Dundas, lord Cornwallis, and lord Castlereagh,—carried the measure of Union, as a preliminary to the settlement of the Catholic question, and resigned their offices almost before the dying embers of the rebellion were cold, because they could not also carry this very question of relief to the Roman Catholics. Will the issue,

the successful issue of civil war, leave us in a better condition now than it left us in the year 1800? or shall we not, at its close, have to discuss this same question of concession—with embittered animosities—with a more imperious necessity for the adjustment of this question—and with a diminished chance of effecting that adjustment on safe and satisfactory principles.

One calculation I have omitted—but it is too important to be passed in silence—I mean the state of Protestant feeling and opinion in Ireland. On the last occasion on which the Catholic question was agitated, of the sixty-four members for counties, sixty-one actually voted;—forty-five were in favour of concession, sixteen opposed to it, being a majority of the county representation of nearly three to one. Of the total representation for Ireland, one hundred in number, ninety-four members voted; sixty-one for concession, thirty-three against it. The member for the University of Dublin, the two members for the city of Cork, the members for Limerick, for Waterford, for Galway, for Drogheda—all voted for concession. Take another indication of Protestant opinion. The declaration which grew out of the Protestant meeting recently held at the Rotunda in Dublin. That declaration earnestly implores the legislature to adjust this long-agitated question, as the only means that are now left of giving peace to Ireland. It bears, among many hundred signatures of the highest respectability, the names of two dukes, seven marquisses, twenty-seven earls, all possessed of property in Ireland, or locally interested in the welfare of that country. With such a division of Protestant opinion, are we fighting this battle on advantageous terms? Are we promoting the true interest of our own establishment, by continuing to enlist on the side of the Roman Catholics a great majority of the Irish representation, and a great portion of the Protestant wealth and intelligence of Ireland?

Above all, such being the present state of Protestant opinion in Ireland in respect to the policy of conferring all the privileges of the constitution upon the Roman Catholics, could a government, pledged against any further concessions, and prepared to retract some of the franchises already granted, conduct with satisfaction the administration of Irish affairs? could it

contend against the resistance of the united body of Roman Catholics—that resistance encouraged and supported by a powerful alliance of Protestant influence?

Sir, I here close this part of my argument, the double object of which has been to show; first, that the principle of a neutral government must be abandoned; secondly, that an united government, prepared to offer permanent and unqualified resistance to concession, cannot be formed in the present state of parties, and of public opinion, with a prospect of maintaining its ground, and of administering, with satisfaction and success, the affairs of Ireland.

If these deductions be fairly drawn from the course of reasoning which I have pursued, there remains one only alternative—the adjustment of the Catholic question on the principle recommended in the speech from the throne. Whatever may be the objections in the abstract to such an adjustment, if any man be satisfied that under all the existing circumstances of the country, there is more hazard in continued resistance, than in the settlement of the question, that man is justified, he is truly consistent in changing his course, and in listening to terms of accommodation which he may have heretofore rejected.

This is the conclusion to which I myself have come. Compelled to give advice to the Crown under circumstances of no ordinary difficulty, I have, in concurrence with my colleagues, given advice in conformity with that conclusion; and I have been required to take the responsibility, and to make the sacrifices inseparable from the adoption of that course, which appears to the king's government less pregnant with danger than any other that now remains to us.

Charged with this arduous task, I now approach the most important part of my duty;—the explanation of the measures by which his majesty's servants propose to carry into effect the recommendation of his Majesty's Speech. I will not disguise the difficulties which are to be encountered. Some there are, urged with great confidence, the existence of which I cannot admit, but still those that really exist are many and formidable. Two preliminary objections have been urged, which if valid would seem to preclude even the consideration of the subject. The first, that this is a question not of policy but of

religion; the second, that the Coronation Oath is an insuperable obstacle to the relief from Roman Catholic disabilities. I must totally deny the validity of either of these objections.

This question, at least the measures I have to propose for its adjustment, are measures of state policy, and of state policy exclusively; they are not calculated to shock any religious scruples. They will imply no sanction, they will disclaim all encouragement of any religious doctrines from which our own established church revolts. They rest upon this broad principle, that there is less of danger under the present state of affairs to the spiritual and temporal interest of that church, in removing those civil disabilities which affect a portion of his majesty's subjects, than in continuing those disabilities.

But, Sir, if I were to admit that religious considerations are deeply involved in this question, I would ask of those, most strenuous for arguing it mainly upon religious grounds, what progress have we made in Ireland in the propagation and establishment of religious truth, under the system of penal and disqualifying laws? Where are our conversions? In what part of the world is the adherence to the errors against which we protest more inveterate than it is in Ireland? Let us maturely consider, whether penalties and disabilities may not have enlisted pride on the side of conscience—may not have deterred the rich and powerful from a conformity that is suspicious, so long as it is profitable—may not have raised defences round prejudice and superstition, which have been and will continue to be impenetrable by terror or force?

Be the cause what it may, the fact is certain, that reformation in Ireland has hitherto made no advance. We lose nothing, we endanger nothing in this respect by the change of system; but on the other hand, let us cherish the hope that increased intercourse between Protestant and Roman Catholic will inspire feelings of mutual charity and good will—that the agents of Protestant benevolence will be regarded with less of suspicion and distrust—that truth, moral and religious, will have a freer scope for exertion—that the Protestant faith, by confiding in its own intrinsic purity, in the progress of knowledge, in the love and affection of the people, may find an energy and expansive

force, which it has not found, in Ireland at least, in the monopoly of civil privileges.

If this question were to be argued, as I deny that it ought to be argued, as a question of religion, I greatly doubt whether the issue of fair argument upon that exclusive ground would not be in favour of the measures of relief.

With respect to the other preliminary objection the Coronation Oath, I shall say little. During the many years that I have opposed concession to the Roman Catholics, I have uniformly disclaimed all concurrence in such an objection. It appears to me that the Coronation Oath is any thing but a barrier to the adoption of measures, which may be, as I believe these are—under the existing circumstances of the country—conducive to the interests of the church establishment. Mr. Pitt, lord Kenyon, lord Liverpool, almost every public man of eminence, have left their opinions upon record, that the removal of the civil disabilities of the Roman Catholic is perfectly compatible with the obligations of the Coronation Oath.

That there are real difficulties in the way of a settlement of the Catholic Question, no man is more disposed to admit than I am. But if it be necessary that the question should be settled, we must take the course which others before us have taken; we must “construe the times to their necessities,” and effect a great object at the expense of minor considerations.

No doubt there are difficulties; but what great measure, which has stamped its name upon the æra of its adoption, has been carried through without objections and obstacles, insuperable, if they had been abstractedly considered? What was the Revolution itself, but a violation of principles, which would have been respected in ordinary times, and under ordinary circumstances.

How was the union with Scotland carried? By an overwhelming conviction, that it was indispensable to the peace and concord of the two kingdoms. It was this conviction that reconciled a powerful kingdom to the sacrifice of nominal independence; to the outrage of those high and honourable feelings which were associated with its ancient history, its separate monarchy, its peculiar form of legislature and government. Our difficulties may be great, but they are nothing as

compared with those which obstructed such a measure as the first incorporate union between the two kingdoms.

What justified the Septennial Act? the prolongation by the House of Commons of its own existence, beyond the period for which it was elected. That which is the true justification of every political measure in which no question of moral obligation is involved, the preference of the greater good, or the avoidance of the greater evil.

In more recent periods of our history, the abolition of heritable jurisdictions in Scotland; the nomination of a Regent by an Act of Parliament, to which the King could not be, personally, a party; the Union with Ireland; are all great measures of policy, to which objections were made that would have been fatal, and justly fatal, if weighed separately, and if judged by the rules applicable to ordinary occasions. We must contemplate the measure I am about to develope, in the same spirit in which our predecessors acted under similar circumstances, we must look at the end to be achieved, and the danger to be averted, we must be content to make mutual sacrifices, if they are essential to the attainment of a paramount object; and must withdraw objections to separate parts of a comprehensive scheme, if, by insisting on these objections, we should endanger its final accomplishment.

The plan for adjusting the Catholic Question, and of improving the condition of Ireland, which I am now to detail, is that plan on which the king's government agreed, after mature deliberation, before the session of parliament was opened. Nothing that has subsequently passed has diverted the government from its course. No menace of opposition has induced them to modify or to abandon any part of the general measure. It is proposed on the responsibility of the government: it is the result of no compact with any party, or with any individuals. The Roman Catholics have not been consulted in respect to it, and for two sufficient reasons: first, because it is better suited to the dignity of legislation, that it should be independent of previous understandings and compacts with the parties whom it is to affect; and secondly, because it is not fair upon the Roman Catholics themselves, to require them to give their previous assent to the conditions or securities or restrictions with which it may be necessary to accompany measures of relief.

There is also another reason to which I must advert. If we make a compact, we seem to relinquish the right of future legislation in respect to the Roman Catholic Religion. Now, one great advantage of this measure will be, that it will enable us to assume our proper position, with respect to every interest in Ireland, and to guard against new dangers, if new dangers should occur, by any precautions or securities that the public interests may require.

The measures which I propose for granting relief to the Roman Catholics are founded upon two great principles: The abolition of civil distinctions on account of the religious creed of the Roman Catholics; and the maintenance, intact and inviolate, of the integrity of the Protestant Church, its worship, its discipline, and its government. These measures will restore the equality of civil rights; but they will give no favour or encouragement to any form of religious worship, excepting that which is incorporated by fundamental laws with the constitution of the state, and which claims the respect, veneration, and affection of a Protestant people. It is needless, Sir, for me to explain the existing state of the law, as it bears upon the Roman Catholics of England, Ireland, and Scotland. It is known to every one whom I address, that the law affecting the Roman Catholics in each branch of the empire is different: that the Irish Roman Catholics are the most favoured, the Roman Catholics of Scotland the least. I propose to place them all, as to civil privilege, upon the same footing, the footing of equality. I am well aware of the provisions of the Act of Union with Scotland, of the enactments which require that persons electing and elected to seats in the legislature, shall be Protestants, excluding Papists, expressly, by name. But who would wish that this great work shall be left incomplete by a rigid adherence to the letter of the Act of Union, and by continuing exclusion in that part of the United Kingdom, wherein the Roman Catholics are the least formidable, and where there is hardly a conceivable danger?

It would be repugnant to every generous feeling, and to the dictates of common sense, to continue disabilities upon the Roman Catholics of Scotland, whose conduct has been uniformly patient, loyal, and submissive to the laws, after the complete removal of similar disabilities in England and Ireland.

Before, Sir, I speak of political privilege, I must advert to the laws relating to the possession of property by the Roman Catholics of the United Kingdom. The prevailing impression is, that every penal law, with respect to property has been repealed. This is not the case; the penal laws, as to property, still survive, and the Roman Catholics are only relieved from their operation upon taking the oaths with certain formalities, which are required by the several acts that relate to this subject. The Roman Catholic, who, through accident or inadvertence, omits to take the oaths, is subject to the penal laws in regard to property. The title to it is thus rendered insecure. There appears no reason why the Roman Catholic should not hold property, real or personal, upon the same terms and conditions upon which other subjects of the king hold it; and for the common benefit of the Roman Catholic proprietor, and of the Protestant or Roman Catholic purchaser, or heir, I propose to repeal the operation of every penal law which has a bearing upon the tenure or acquisition of property.

Now, Sir, as to political privilege. I say at once the whole question turns upon admission to Parliament. Without this concession every other will be useless, perhaps injurious; because the grant of other privileges, if this be withheld, will give no present contentment, and it will diminish the means, by which the grant of this further privilege can be effectually resisted. If we are to relinquish the system of exclusion, let us secure the advantages of concession, if we are to settle the Catholic Question, let us settle it, at once and for ever—settle it, I mean so far as political rights are concerned, by the restoration of equality. There is no intermediate position, defensible upon principle, between the maintenance of the present civil disabilities in Ireland, and their complete removal. Either policy—continued resistance or final adjustment—is far preferable to an imperfect grant of privilege, which leaves behind it “A Catholic Question,” and ensures a renewed struggle for equal civil capacity.

The bill will, therefore, expressly provide for the admission of the Roman Catholics to seats in the two Houses of Parliament. It has been proposed to limit the numbers so admissible; but I doubt the practicability and expediency of affixing any precise limitation to the numbers. It would

be extremely difficult to execute a measure of this nature, to devise the means by which, supposing at a general election a larger number of Roman Catholics were returned than the number prescribed by law as qualified to sit and vote, a selection should be made, and the returns to Parliament of a portion of the whole number should be declared invalid. But I doubt the expediency of the limitation, if it be practicable. It would have a tendency to alienate from us the limited body of Roman Catholic members—to unite them into a compact phalanx, bound to act together for the promotion of Roman Catholic interests, by new obligations of honour and fidelity imposed by our law, which, by restricting their number, compelled them to find a compensation in increased zeal and devotion. I would admit them, therefore, on the same footing, the same principle of equality, on which we now admit the Dissenter from the Church of England.

Another proposal has been made, by a right hon. friend of mine,* made from the best motives, and supported with an ingenuity, ability, and research, worthy of the motives and of the character of its author. My right hon. friend has proposed, with a view to calm the suspicions and fears of those who object to the admission of Roman Catholics to Parliament, that the Roman Catholic member should be disqualified by law from voting on matters relating, directly or indirectly, to the interests of the Established Church. There appear to me numerous and cogent objections to this proposal. In the first place, it is dangerous to establish the precedent of limiting by law the discretion by which the duties and functions of a Member of Parliament are to be exercised. In the second, it is difficult to define beforehand what are the questions which affect the interests of the Church. A question which has no immediate apparent connection with the Church, might have a practical bearing upon its welfare ten times more important than another question which might appear directly to concern it. Thirdly, by excluding the Roman Catholic from giving his individual vote, you do little to diminish his real influence, if you leave him the power of speaking, of biasing the judgments of others on the question on which he is not himself to vote; and if, by a

* Mr. Wilmot Horton.

jealous and distrusting, but ineffectual precaution, you tempt him to exercise to your prejudice the remaining power of which you cannot, or do not, propose to deprive him. I believe there is more of real security in confidence, than in avowed mistrust and suspicion, unaccompanied by effectual guards. For these reasons, I am unwilling to deprive the Roman Catholic member of either House of parliament of any privilege of free discussion, and free exercise of judgment, which belongs to other members of the legislature.

It is desirable that I should here explain the nature of the Oath, which it is proposed to administer to the Roman Catholic as the test of his civil worth, in the place of those oaths and declarations, by which he is at present excluded. It is proposed to repeal altogether for parliament, and for office generally, the Declaration against Transubstantiation. There is no object in retaining it as a test to be taken by the king's subjects in respect to any office or franchise for which the Roman Catholic is to be hereafter qualified. It was applied originally, solely as the instrument of exclusion. It is the mere abjuration of belief in certain doctrinal tenets of the Roman Catholic faith; and I believe there are few Protestants, who would not have rejoiced in being relieved from the necessity of making that declaration as a qualification for the enjoyment of a merely civil privilege, even if it had been determined to continue Roman Catholic exclusion, and if other means of effecting it could have been devised. But when exclusion is to cease, let us be spared the pain of pronouncing an opinion, for mere temporal purposes, in regard to the mysteries of religion, and branding as idolatrous the belief of others.

The Oath of Supremacy, that oath which denies to any foreign state, prelate or potentate, any jurisdiction, temporal or spiritual, within this realm, I propose to retain. The enactment of this oath, at least of one corresponding to it, was coeval with the reformation, and it constituted the only test to which a Roman Catholic could object during the whole interval that elapsed between the first year of the reign of Elizabeth, and the twenty-fifth of Charles 2nd.

The time has been when Roman Catholics in England have not refused to take the Oath of Supremacy; and when invidious distinctions shall have been removed,

and with them a sensitive jealousy on points of honour,—that time may return. In the mean while, the bill will provide an oath, to the effect following: an oath to which the Roman Catholic can have no valid or conscientious objection, which will incorporate the substance of the Oaths of Allegiance and Abjuration, and will disavow all belief in the temporal or civil jurisdiction within this realm of any foreign authority.

"I, *A. B.*, do declare, That I profess the
 "Roman Catholic Religion. I, *A. B.*,
 "do sincerely promise and swear, that I
 "will be faithful and bear true allegiance
 "to His Majesty King GEORGE the
 "Fourth, and will defend him to the
 "utmost of my power against all con-
 "spiracies and attempts whatever, which
 "shall be made against his person,
 "crown or dignity; and I will do my
 "utmost endeavour to disclose and
 "make known to His Majesty, His
 "Heirs and Successors, all treasons and
 "traitorous conspiracies which may be
 "formed against him or them: And I
 "do faithfully promise to maintain, sup-
 "port and defend, to the utmost in my
 "power, the succession of the Crown,
 "which succession, by an Act, intitled,
 "'An Act for the further Limitation of
 "the Crown, and better securing the
 "Rights and Liberties of the Subject,'
 "is and stands limited to the Princess
 "'Sophia, Electress of Hanover, and the
 "heirs of her body, being Protestants;
 "hereby utterly renouncing and abjuring
 "any obedience or allegiance unto any
 "other person claiming or pretending a
 "right to the crown of these realms:
 "And I do further declare, That it is
 "not an article of my faith, and that I
 "do renounce, reject and abjure the
 "opinion, that princes excommunicated
 "or deprived by the Pope, or any other
 "authority of the see of Rome, may be
 "deposed or murdered by their subjects,
 "or by any person whatsoever: And I
 "do declare, That I do not believe that
 "the Pope of Rome, or any other fo-
 "reign prince, prelate, person, state or
 "potentate, hath or ought to have any
 "temporal or civil jurisdiction, power,
 "superiority or pre-eminence, directly
 "or indirectly, within this realm. I do
 "swear, That I will defend to the utmost
 "of my power the settlement of pro-
 "perty within this realm, as established
 "by the laws; And I do hereby dis-

"claim, disavow, and solemnly abjure
 "any intention to subvert the present
 "Church Establishment as settled by
 "law within this realm: And I do
 "solemnly swear, That I never will
 "exercise any privilege to which I am
 "or may become entitled, to disturb or
 "weaken the Protestant religion or Pro-
 "testant government in this kingdom :
 "And I do solemnly in the presence of
 "God, profess, testify, and declare, that
 "I do make this Declaration, and every
 "part thereof, in the plain and ordinary
 "sense of the words of this Oath, with-
 "out any evasion, equivocation, or men-
 "tal reservation whatsoever."

The Roman Catholic who will take this Oath surely gives us every security which an oath can give, that the difference in religious faith will not affect his allegiance to the king, or his capacity for civil service. It will perhaps be observed, that this form of Oath omits some abjurations and disclaimers which are inserted in the oaths now required from Roman Catholics. Sir, It does so, and purposely and advisedly. Why insult the Roman Catholic, on whom we are about to confer the equality of civil privilege, by compelling him to reject, in terms, "the impious position that it is lawful to murder Heretics," or to record his detestation of the "unchristian principle that faith is not to be kept with Heretics?" We cannot suspect the Roman Catholics of these countries, of entertaining such opinions; and if we do suspect them, we have been wrong heretofore in giving them their existing privileges. I will neither detract from the force of those disclaimers, which the oath will contain, by the addition of useless incumbrances; nor mortify, by galling and unjust suspicions, the fellow-subjects whom we are inviting, in the spirit of peace and confidence, to share the blessings of equal and undiscriminating laws.

In respect, Sir, to offices, this bill will admit the Roman Catholics to all corporate offices, and the enjoyment of all municipal advantages.

It will admit the Roman Catholics to one great class of office, to which it has always appeared to me that a claim might have been urged on stronger grounds than those on which the claim to mere political office could be rested—I mean, that class of office which is concerned in the administration of criminal and civil justice.

The army and the navy are already

practically open to the Roman Catholics, without restriction. There is nothing, I believe, in law, which would prevent a Roman Catholic from exercising the command which is at present held by Lord Hill—as the general commanding his majesty's forces.

But, Sir, with respect to all these offices—to corporate offices—to offices in the courts of justice—to military appointments—aye, and to the highest civil offices—we have, in my opinion, decided the question, the moment we have resolved on the admission of the Roman Catholic to Parliament.

The eligibility of the Roman Catholic for civil office, becomes a "security" for the Protestant Establishments—so soon as you have determined to throw open to him the doors of Parliament. You want to secure his loyalty to the king. Do not tell him that he must be a democrat. Do not tell him that he may acquire power and distinction by courting popular favour, and by the devotion to popular interests—but that he is no fit subject of a monarchy—that the Crown must, by law, view him with suspicion and distrust—that no zeal for the service of the public—no attachment to the person or government of the Sovereign—no gratification of, perhaps, his own hereditary bias in favour of prerogative, can qualify him for the favour and confidence of the Crown in high civil trust.

If we remove the restrictions which the law has imposed upon the exercise of popular rights—let us, for our own interests, and our own protection, remove, at the same time, the restraints upon the prerogative of the Crown. Upon every ground, therefore, the policy of making a final adjustment of the question—of founding our measure on a great and comprehensive principle—of giving a fair scope to that grace and influence which, for wise purposes, are vested in the Crown—let us confer on the Roman Catholic, not the right of admission to every office, but a qualification to be admitted, if a Protestant king shall desire to admit him.

It will, nevertheless, be quite consistent with this principle to exclude the Roman Catholic from a certain limited number of offices, which have special and peculiar duties attached to them, connected with the patronage of the Church, or with education, or the administration of the Ecclesiastical Law.

The Roman Catholic is jealous of our

interference with the appointments and discipline of his Church, and we have, at least, as good a right to take security for the maintenance of the integrity of our own.

This Bill will, therefore, exclude the Roman Catholic from the office of Regent, and from exercising, under any circumstances, the delegated authority of the Crown; from the office of Lord Chancellor, in England and Ireland respectively, and from the office of Lord Lieutenant of Ireland.

It will not qualify the Roman Catholic to hold any office, place or dignity connected with the Church Establishments of the United Kingdom, or with the Ecclesiastical Courts of Judicature, with the Universities, or the great public schools, or schools of ecclesiastical foundation. All local statutes of the Universities, and the power of making such statutes, will be preserved inviolate.

The laws respecting the right of presentation to ecclesiastical benefices will remain unrepealed and unvaried; and provision will be made for intrusting, exclusively to Protestant authorities, the right of Church patronage, belonging to any civil office that may hereafter be held by a Roman Catholic.

The Roman Catholic will be disabled under severe penalties from advising the Crown, directly or indirectly, in respect to the grants of Church preferments; and generally, from the exercise of any influence derived from civil office over ecclesiastical appointments.

Such is the principle and the outline of the measure, so far as it concerns the removal of political disabilities.

I now approach the consideration of that important branch of this subject which includes the securities and restrictions by which it is fitting that this measure of relief should be accompanied. We have given freely to the Roman Catholic, and we have a right to require in return, that on his part every concession shall be freely made that does not invade his conscientious scruples, or break in upon that great principle of our measure of relief—the civil equality of all classes. We do not desire merely to gratify the Roman Catholic. We desire to make an equitable arrangement that shall promote the concord of all his majesty's subjects, and shall give satisfaction to the reasonable and the moderate, however it may be condemned by extreme opinions on opposite sides.

I say at once, that we must look for real security in the regulation of the elective franchise of Ireland, in a decided uncompromising reform of the abuses to which the present exercise of that franchise is liable. It is in vain to deny or to conceal the truth in respect to that franchise. It was, until a late period, the instrument through which the landed aristocracy—the resident and the absentee proprietor, maintained their local influence—through which property had its weight, its legitimate weight, in the national representation. The landlord has been disarmed by the priest; and the fear of spiritual denunciations, acting in unison with the excited passions and feelings of the multitude, has already severed, in some cases, and will sever in others, unless we interfere to prevent it, every tie between the Protestant proprietor and the lower class of his Roman Catholic tenantry. That weapon which he has forged with so much care, and has heretofore wielded with such success, has broke short in his hand.

Look at the elections in Monaghan, in Waterford, in Louth, and Clare, and then consider whether it will tend to the security of Protestant interests to leave matters as they are, neither granting relief, nor imposing restraint; and also, whether, if we grant ample relief, it be not equally just and expedient, to restore to property its legitimate weight in elections, and to guard against the future abuse of spiritual influence?

This measure of a regulation of the franchise is defensible on two grounds—first, as an indispensable security, a necessary concomitant, on the complete extension of privilege—and secondly, as a measure politic, if considered abstractedly, being calculated to improve the civil and moral condition of Ireland, by discouraging the subdivision of law for mere political objects, by diminishing the temptations to perjury, and by giving weight to enlightened and independent opinion.

The Roman Catholic, as a Roman Catholic, has no right to object to this measure. He would have that right if the restriction were unequal in its application; if it curtailed his existing privilege, leaving untouched that of the Protestant: but the restriction extends to all, and admits no distinction between the Protestant and Roman Catholic voter. Like the measure of relief, it is founded on the principle of equal justice.

It may not be immaterial to compare the number of registered voters in some counties in Ireland, with the number of votes actually given at contested county elections in England. The following list

1820.	
<i>Bedford.</i>	
Three Candidates.	
Total number of Votes	3,982
<i>Berks.</i>	
Three Candidates.	
Total number of Votes	2,270
<i>Cumberland.</i>	
Three Candidates.	
Total number of Votes	406
<i>Devon.</i>	
Three Candidates.	
Total number of Votes	6,298
<i>Durham.</i>	
Three Candidates.	
Total number of Votes	3,741
<i>Glamorgan.</i>	
Two Candidates.	
Total number of Votes	1,284
<i>Middlesex.</i>	
Three Candidates.	
Total number of Votes	10,662
<i>Sussex.</i>	
Three Candidates.	
Total number of Votes	5,545
<i>Westmoreland.</i>	
Three Candidates.	
Total number of Votes	4,341

I have not the list of registered votes in the counties of Ireland, with which I meant to compare the numbers above-mentioned; but I believe that there are many counties in Ireland of which fourteen or fifteen thousand votes are registered, and some counties in which there are upwards of twenty thousand. Assuming that the present constituent body in an English county fairly expresses the sense of it; and comparing the amount of property, of education, and intelligence, in the counties of England and Ireland respectively, with the number of voters which they contain, the disproportion is very striking.

There is, Sir, a precedent for the measure I propose, so exactly applicable, that, before I enter into further explanation of its details, I must avail myself of the advantage which that precedent affords. The regulation of the elective franchise is not new and unprecedented. The Statute-Book records the reasons upon which, in former periods of history, it has been carried into effect; and impartial witnesses have left upon record their opinions of the

contains an account of the numbers polled during some of the severe contests which have taken place in this country within a recent period:

1826.	
<i>Bedford.</i>	
Three Candidates.	
Total number of Votes	3,786
<i>Huntingdon.</i>	
Three Candidates.	
Total number of Votes	2,737
<i>Northumberland.</i>	
Four Candidates.	
Total number of Votes	5,253
<i>Oxford.</i>	
Three Candidates.	
Total number of Votes	3,598
<i>Somerset.</i>	
Three Candidates.	
Total number of Votes	3,840
<i>Surrey.</i>	
Three Candidates.	
Total number of Votes	5,735
<i>Sussex.</i>	
Three Candidates.	
Total number of Votes	5,353
<i>Westmoreland.</i>	
Three Candidates.	
Total number of Votes	5,499

practical bearing of such regulation upon the constitution of this country.

The present elective franchise in England has for its foundation an act of parliament, which passed in the reign of Henry 6th, which raised the qualification to its present amount; namely, forty shillings—a sum in those days representing a very different amount of value from what it now represents. The act explains the necessity which called for and justified its enactment, in terms so appropriate to the case of Ireland, that no fitter preamble for the present measure could be devised. The preamble of the act of Henry 6th is as follows: “Whereas the elections of knights of the shires to come to the parliaments of our lord the King in many counties of the realm of England, have now of late been made by very great, outrageous, and excessive number of people, dwelling within the same counties of the realm of England: of the which most part was of people of small substance, and of no value, whereof every of them pretended a voice, equivalent as to such elections to be made with the most worthy knights and esquires,

dwelling within the same counties, where—by manslaughters, riots, batteries and divisions among the gentlemen and other people of the same counties, shall very likely arise and be, unless convenient and due remedy be provided in this behalf;”—the effect of this act, upon the constituent body of England, and upon the expression of public opinion, has been described by a writer, who, from his own sentiments on popular privileges, and from the peculiar relation in which he stood to others, is an unbiassed and unsuspicious testimony in favour of the restriction on the franchise.

There is an historical discourse on the Constitution of England, written by Mr. Nathaniel Bacon, the confidential friend and executor of the learned Selden—in which he discusses the consequences of the act of Henry 6th, on the constituent body of this country—and in which, as the work was mainly composed from materials left by Selden, Mr. Bacon probably expresses their common opinion:—“Thus,” he observes, “the manner of election is reduced, but the electors are more considerable; for hitherto any man of English blood promiscuously, had right to give or receive a vote, although his residence was over the wide world: thus, the freemen yielded up their liberty of election to the freeholders, possibly not knowing what they did. This change was no less good than great. For—First, Those times were no times for any great measure of civility. The preface of the statute shews, that the meanest held himself as good a man as the greatest in the county, and this tended to parties, tumult, and bloodshed. Second, Where the multitude prevail, the meaner sort are upon the upper hand, and these (generally ignorant) cannot judge of persons nor times, but being, for the most part, led by faction, or affection, rather than by right understanding, made their elections, and thereby the general council of the nation, less generous and noble. Third, There is no less equity in the change than policy; for what can be more reasonable than that those men should have their votes in election of the public council, whose estates are chargeable with the public taxes and assessments? But, above all the rest, this advancing of the freeholders in this manner of election, was beneficial to the freemen of England, although, perchance, they considered not thereof; and this will more clearly appear, by the consideration

of these three particulars:—First, It abated the power of the lords and great men, who held the inferior sort at their discretion, and much of what they had by their vote. Second, It rendered the body of the people more brave; for, advancing of the freeholder above the freemen, raised the spirit of the meaner sort to public regards, and with an ambition to aspire to become freeholder. And thus the meaner sort, sifted to the very bran, became less considerable, and more subject to the coercive power; when the freeholder, now advanced in degree, becomes more careful to maintain correspondence with the laws. And, Thirdly, by this means, the law makes a separation of the inferior clergy and cloistered people from this service, wherein they might serve particular ends much, and Rome more.” Coupling this description of the consequences of the statute with the preamble of the act which curtailed the franchise, it seems to me that nothing can be more apposite or appropriate to the subject. The measure I propose, will have the effect adverted to by Bacon. It will remedy the evil of the forty-shilling freeholders in Ireland, and will raise the character, respectability, and independence, of the real freehold interest of the counties. It will give an independent constituency, in the place of a dependent one—of one either under the control of the landlords or the priests. I do not say, and I cannot, Sir, that the effect will be, to diminish the legitimate influence of the Roman Catholic body; but I assert, that the spiritual control exercised over the voter is illegitimate, and that it ought not to exist. Before I ask the House to come to a decision upon this part of the bill, I entreat every honourable member to read the evidence taken before the Committees of the Lords and Commons in 1825. The evidence before the Lords was not, I believe, accessible, when we last discussed this question. Let gentlemen go over the evidence given by every man examined—Roman Catholic as well as Protestant, Layman as well as Ecclesiastic—and then I will ask, whether there is not a body of concurrent and conclusive testimony, as to the evils arising out of the present state of the elective franchise in Ireland? Practically, it differs in every respect from the elective franchise in England. In this country, the freeholds generally are held in fee-simple. There is scarcely in Ireland a single in-

stance, out of thousands, where the freehold is not derivative and held on lease for life. I do not propose to alter the character of the freehold in Ireland. It would be too great an innovation were we to endeavour to assimilate the system in Ireland to that of England. The system, there, is for landlords to lease lands to middle-men, and the freehold is created through intermediate channels. Any attempt, therefore, as I before remarked, to change the system, would be too violent an alteration, and not accommodated to the circumstances of the country.

In the evidence you will find, that various opinions were entertained in respect to the amount to which the franchise should be raised. Many individuals, whose judgment is entitled to the greatest weight, were decidedly in favour of raising it to 20*l.*; and they thought that, by so doing, a respectable class of yeomanry would be created, exercising at elections an independent voice. For my own part, I think it would be too much, to ascend at once from 40*s.* to 20*l.*; and the qualification of 10*l.* is an intermediate one, with which I am inclined to be satisfied. It would be very difficult to estimate, from the existing returns, what would be the number of persons at present entitled to vote, if the franchise were raised to 10*l.*: it is impossible to deny that it would be very considerable. The registered number of freeholds of the annual value of 50*l.* or 20*l.* would afford no criterion by which a judgment on this point could be formed; and there being no intermediate registration between freeholds of 20*l.* and 40*s.*, all those of 10*l.*, 12*l.*, or any sum below 20*l.*, are registered as 40*s.* freeholders.

I propose, Sir, in the first place, that the determination of the freehold should not, as at present, rest only upon the oath of the party. Nothing can be so objectionable as that practice in Ireland, which leaves every thing to the oath of individuals; it has introduced into that country, I am afraid, a great deal of lax swearing—or I should rather use the terms of fraud and perjury. Any man may go before two magistrates and register his vote, merely upon the responsibility of his oath, however ignorant he may be of the nature of the sacred obligation. The construction of the law, too, is this—not that the man's freehold is worth forty shillings a-year, but that he would rather remain in it than accept forty shillings a-year in

exchange; thus, numbers of freeholders are constantly made where the interest is unquestionably less than forty shillings a-year. A man who holds a lease for a term of years, however long, has no power of granting freeholds; but numberless freeholds are nevertheless created and sworn to, although the lessor had no legal power to create a freehold interest. The principle I shall select will go far to remedy this evil; every man who has a ten-pound freehold shall be entitled to his registration and vote; but means will be provided of ascertaining whether the party claiming has, in fact, such a freehold.

I propose, that the lowest amount of the qualification, entitling a freeholder to vote at an election for counties in Ireland, shall be ten pounds instead of forty shillings; and that, immediately after the passing of the act, there shall be a registration of such *bonâ fide* freeholds in each county in Ireland.

I propose, that the assistant barrister of each county shall be charged with the duty of inquiring into the title and the value of the freehold, in respect to which a right of voting is claimed, and of deciding on the registration of the vote. The right of voting to accrue immediately after registration—should that registration take place at the first session, to be specially held immediately after the passing of the act; and six months after a registration at any future sessions. As the law at present stands, the freeholder cannot vote at an election until twelve months after the registry.

It may be objected, that undue power is hereby conferred upon an officer appointed by the Crown, and removeable at the will of the Crown. I do not rely, for an answer to this objection, merely upon the high judicial character of the assistant barristers of Ireland—upon the exemplary manner in which they discharge their present important functions—or upon the universal satisfaction with which their decisions are received by the public. The bill will provide, I trust, an effectual check upon any possible abuse of power, by giving, in every case, the right of appeal to the freeholder, whether his claim to register be rejected by the assistant barrister, upon the ground of defective title to the freehold, or of its insufficient value. On the question of title, the appeal will be given to the judge of assize. On the question of fact, namely, the amount of

value of the freehold, the freeholder will have a right to appeal to a jury.

I propose to make no distinction between the different freehold tenures in Ireland, but to disqualify the freeholder whose title is derived from a possession in fee-simple, as well as from a lease for lives. The law at present recognises no superior claim, so far as the right to vote is concerned, on the part of the fee-simple freeholder. The abuse of this species of freehold has been as great, in some parts of Ireland, as of any other; and the abuse would be multiplied ten-fold, if the existing law, in respect to the fee-simple freehold, were left as it is. The freehold qualification of life interest having been raised to ten pounds, the protection of one favoured class of forty-shilling freeholders—every other class being disfranchised—would have the appearance of injustice, and might cause much dissatisfaction and discontent.

It is not proposed—by this act, at least—to affect the franchise in corporate towns, or in any other places in Ireland, sending members to parliament, excepting counties. In corporate towns in which the right and the practice exists of qualifying non-resident freemen to vote, it would not be consistent with the principles of justice and impartiality, on which the whole measure is founded, to raise the qualification of the freehold interest, unless some concurrent regulations were made for limiting the corporate right as to non-resident freemen. If the right of conferring the freedom, excepting in special instances of public service, were limited to resident inhabitants—and if the abuses in the exercise of the forty-shilling freehold were at the same time corrected, and the right of voting from a freehold confined to the *bond fide* possessor of it—it would no doubt be a great improvement in the present system, and one that may be well deserving of future consideration. On account, however, of the difference in local circumstances of the cities and towns, full inquiry, and mature deliberation, would probably be requisite, before a satisfactory arrangement on this head could be made.

I admit at once the full force of the objection which will be urged against that part of the measure I propose, by which the existing right of voting is taken from the freeholder. No doubt it is a vested right, but it is a right that differs in its character from the rights of property, and

other strictly private rights. It is a public trust given for public purposes—to be touched, no doubt, with great caution and reluctance; but still, which we are competent to touch, if the public interest manifestly demands the sacrifice.

It will be asked, what is the compensation which you give to the parties, from whom you take a privilege vested in them by law? What return is to be made to the Roman Catholic freeholder, whose franchise is to be abolished—and still more to the Protestant freeholder, by whom it has been never abused? My answer is, that ample compensation is offered to both.

I would say to the Roman Catholic, “the stigma is about to be removed, of which you have so loudly complained. Every invidious distinction will shortly be abolished; the avenues to honour, and power, and distinction, are about to be opened to you and your descendants; you will stand erect on the footing of perfect equality. Compared with this, what is the miserable privilege which you are asked to relinquish, which has made you the instrument, at one time, of your landlord—and another of your priest—and has distracted you between the conflicting claims of gratitude and temporal interest on the one hand, and of spiritual obedience on the other.”

To the Protestant I would say, “We restore to you your just weight in the representation—you are now overborne by a herd of voters, the voice of each of whom is equal to yours—you are foremost in that industrious, honest, and independent class, whose influence will be mainly increased by the disfranchisement of poverty and ignorance.”

To both—to the Protestant and Roman Catholic I would say, “Look for a still higher compensation. Cherish the hope, that the sources of civil discord may be dried up;—that you may be freed from mutual fears and jealousies; that a new field may be opened for the enterprise and capital of England;—and that you may find, in the gradual spreading of tranquillity and improvement, your own individual conditions elevated—and ample compensation made to you for any privilege you now relinquish, in the increased value and secure enjoyment of whatever you possess.”

Sir, there is but one more subject to which I have to address myself—the question of Ecclesiastical Securities. The de-

mand of such securities, as well as the nature of them, must, I apprehend, mainly depend upon the preliminary consideration—What shall be the future relation of the Roman Catholic Church to the State? Will you incorporate it, in any degree, with the state, and give to it a qualified establishment? Or, will you reserve all marks of public favour and indulgence for your own established church—maintain it in the possession of exclusive privilege—and disclaim all connection with any other form of religious worship?

I am not insensible to the force of those arguments which have been urged in favour of admitting the Roman Catholic church in Ireland, to a qualified and subordinate establishment, by giving stipends to the Roman Catholic priesthood, from the public funds. This was the measure contemplated by Mr. Pitt in 1801, and uniformly urged by lord Castlereagh, as an arrangement which ought to accompany the removal of the political disabilities of the Roman Catholics. But, on the other hand, there are formidable objections to such an arrangement.

Other measures of regulation and control must accompany the pecuniary provision for the priesthood; and if the preliminary consent of the Papal See were indispensable to the satisfactory settlement of such measures, that circumstance alone, would constitute—at present, at least—an insuperable difficulty. In undertaking the adjustment of this great question, we cannot consent to admit any foreign power to be a party to our domestic legislation. We can enter into no negotiation with the Court of Rome, in respect to the conditions on which we are willing to give to the Roman Catholics the benefit of the constitution. We must decide that question for ourselves, determined to claim nothing, by way of restriction or security, save that which is reasonable and just; but, prepared to insist upon that which we do claim.

There is another, and an equally powerful reason, for declining to intermeddle with the discipline or government of the Church of Rome.

Such interference, if accompanied by measures for connecting that church with the state, would provoke much greater objections throughout the country, and would give much greater offence, than the mere relief of the Roman Catholic from civil incapacities.

If we treat the Catholic question as a question of policy, and confine ourselves to the grant of civil privilege, we shall rest the discussion upon grounds totally different from those upon which we should have to discuss it, if we were to imply any sanction of the tenets of the Roman Catholic faith, or to make public provision for the inculcation of its peculiar doctrines.

It must not be forgotten, also, that the Roman Catholics themselves have, at various periods, expressed great discontent with the measures that have been suggested, for submitting their church to the control of the government. Our impression, therefore, is, that we are much more likely to give general satisfaction to the subjects of the king, Protestant and Roman Catholic, by disclaiming all connexion with the Roman Catholic religion—by leaving it on the footing of dissent—and by maintaining inviolate the exclusive establishment of the Protestant church, than by taking “Securities,” as they are called, such as those which have been heretofore suggested.

We have, therefore, no Veto to propose. We ask for no control over the appointments of Roman Catholic bishops, and we disclaim all responsibility for the fitness of such appointments. We do not believe that the power given to the Crown by a Veto, would either have the advantage which its advocates have attributed to it, or would be open to the objections which have been urged against it by its opposers. On the one hand, it would merely give to the Crown a nominal but ineffectual control; and, on the other, it would not be, as has been apprehended by the Roman Catholics, vexatiously or capriciously used to the prejudice of their church. We willingly, therefore, relinquish a “Security” from which no real benefit will arise, but which might, after what has passed, detract from the grace and favour of the measures of relief.

So likewise with regard to the examination of the spiritual intercourse that subsists between the See of Rome and the Irish Roman Catholic Church. To such a power of examination to be vested in the hands of the government of this country, I am not at all sure whether or not an objection would be made by the Roman Catholics; but I do not desire to inspect the correspondence, and therefore feel no wish to raise the question. Being acquainted with the fact, that an intercourse

in spiritual matters does exist between the Irish Roman Catholic church and the See of Rome—so far am I from thinking that a power of inspecting it would be satisfactory to the people of this country, that I imagine it would have a contrary effect; and so far from wishing to examine it, I had much rather (and I believe the majority of the country is influenced by the same desire) that the Secretary of State should have no more to do in the way of interference with the spiritual affairs of the Romish Church, than he has to do with the internal discipline and regulations of the Wesleyan Methodists. If the time shall ever arrive, when, from a change of circumstances, danger shall arise from the intercourse in question, I, for one, after the abolition of the civil disabilities of the Roman Catholics, should have no hesitation in coming down to this House, and asking for a law to regulate or interdict any such intercourse, or to require all the correspondence that might be passing—every document, lay or spiritual—to be submitted to the inspection of his majesty's government. The great advantage of settling the Roman Catholic question, and composing the differences at present existing in Ireland, consists in this—that after we have set this matter at rest, we shall be enabled to demand and take any securities that may be necessary. We shall then be able to maintain a high, independent, and uncompromising tone towards the Roman Catholics of Ireland, and legislate for them as for others of his majesty's subjects. At present we cannot act thus, and the unsettled state of the Catholic question prevents us from taking the steps which might be necessary for the security of the Protestant Church.

There are, however, some points—in no respect trespassing on any legitimate privileges or discipline that the religion of the Roman Catholics requires to be preserved inviolable—which may be so arranged and regulated as to afford great satisfaction, and a sense of security to the Protestant mind. With this view I think it fit to provide, that when Roman Catholics are admitted to the enjoyment of corporate offices, and other offices of a similar nature, under no circumstances whatsoever, shall the robes and other insignia of office be taken to or exhibited in any other place of religious public worship than one belonging to the Protestant Established Church of England.

A practice has, occasionally, of late prevailed in Ireland, which is calculated to afford great, and I may add just, offence to Protestants—I allude to the practice of claiming and assuming, on the part of the Roman Catholic prelates, the names and titles of dignities belonging to the Church of England. I propose that the episcopal titles and names made use of in the Church of England, shall not be assumed by bishops of the Roman Catholic church. Bishops I call them, for bishops they are, and have, among other privileges, a right to exercise the power of ordination, which is perfectly valid, and is even recognised by our own church; but I maintain it is not seemly or decorous for them to use the styles and titles that properly belong to prelates of the Established Church—much less publicly and ostentatiously to assume them, as of late. This will be prevented in future.

There is another point, also, with respect to which the Bill will make a provision—I allude to certain societies and communities which have excited great suspicion and distrust in the minds of persons in this country: I mean the extension of orders and communities bound by monastic vows; more particularly of that order generally called the order of Jesuits. Sir, I do think that some provision upon this head is necessary. At present the individual members of such societies are not under the control of law, and with the existing communities I do not propose to interfere. However, it is manifestly right that we ought to know the numbers of these societies, and who are the members of them; and, with a view to obtain this information, government intends to make a provision for having the names and numbers of the individuals composing such communities registered.

We also require that communities, bound by monastic vows, shall not be extended in this country in future; and we mean to provide against the entrance among us of a class of men, against whom other countries have set their face; and who may, therefore, resort to this country in greater numbers on that account—I mean the order of Jesuits. Other countries have taken precautions against them—why should not we? The state of the law as now proposed to be established will give to every party belonging to these religious orders and communities the full

enjoyment of the rights which they possess at present; it will confirm their existing privileges on a registration of their names and numbers. We have a clear right to take measures of security and precaution against the entrance of other members of these orders into the country, and against the extension of religious communities being under the control of foreign superiors, resident at the court of Rome. The state of the law, as it has hitherto existed on this subject in England—the expulsion of these communities from other states—their arrival here with considerable funds, which have been unwarrantably applied, by means of secret trusts, to the foundation of endowments in this country,—these circumstances have given rise to alarm and uneasiness among many persons, and are fit subjects for legislation. The bill to be introduced will, therefore, take precautions against the future arrival of Jesuits; will render a registration necessary of those who are here at present; and will prevent the extension of communities under religious or monastic vows which are in no way necessary to the free exercise of the Roman Catholic religion.

Such, Sir, will be the principal heads of the measure, which it is the intention of his majesty's ministers to call upon parliament to adopt. I have not intentionally omitted any provision which it is meant that the intended Bill shall contain. I shall propose to the House to resolve itself into a committee of the whole House, for the purpose of adopting a resolution which will be the foundation of a Bill for the admission of Roman Catholics to civil privileges, and of making the other regulations, the particulars of which I have detailed. After the resolution shall have been agreed to, I will move for leave to bring in a separate Bill, the object of which will be the regulation of the elective franchise.

I have now completed the task which I have undertaken, and shall devolve upon the House the duty of dispassionately considering the measures I have submitted for composing the troubles of Ireland. Let them be discussed with the moderation and temper befitting the character and the importance of the subject, with a due sense of the difficulties which the pursuit of any other course would have presented; but, above all, of the fearful consequences of rejecting this attempt at a final adjustment.

Sir, objections, solid objections, if considered abstractedly, may be brought forward against the details of every measure of an extensive and complicated nature, like the present. Depend upon it, we never shall settle the Catholic question, if every man is determined to settle it in his own way and according to his own peculiar views and wishes. We never shall settle it, unless we are prepared to make mutual concessions and sacrifices. I admit the possibility of danger from the grant of Relief, but I ask the Protestants whether there is not a prospect, that, by uniting the Protestant mind on this subject; we shall be able to find new and sufficient securities, against any difficulties that may possibly arise out of the settlement of this question. I ask the Roman Catholics to contemplate the extent of privilege that is conferred, and the sacrifices which we make, by consenting to repeal the laws which have given an exclusive character to the legislature and government of this country. Let them meet us in the same spirit, and manifest an anxious wish to allay every reasonable apprehension. God grant that the sanguine expectations of those who for so many years have advised this settlement may be fulfilled! God grant that the removal of the disabilities, that have so long affected our Roman Catholic fellow-subjects, may be attended by the desired effect; and assuage the civil contentions of Ireland!—that, by the admission of the Roman Catholics to a full and equal participation in civil rights, and by the establishment of a free and cordial intercourse between all classes of his majesty's subjects, mutual jealousies may be removed; and that we may be taught, instead of looking at each other, as adversaries and opponents, to respect and value each other, and to discover the existence of qualities, on both sides, that were not attributed to either!

Perhaps I am not so sanguine as others, in my expectations of the future; but I have not the slightest hesitation in saying, that I fully believe that the adjustment of this question, in the manner proposed, will give better and stronger securities to the Protestant interest and the Protestant establishment, than any that the present state of things admits of; and will avert evils and dangers impending and immediate. What motive, I ask, can I have, for the expression of these opinions, but the honest conviction of their truth?

watched the progress of events. I have seen, day by day, disunion and hatred increasing, and the prospects of peace obscured by the gloomy advance of discontent, and suspicion and distrust creeping on "step by step"—to quote the words of Mr. Grattan, "like the mist at the heels of the countryman." I well know that I might have taken a more popular and a more selfish course. I might have held language much more acceptable to the friends with whom I have long acted, and to the constituents whom I have lately lost. "*His ego gratiora dictu alia esse scio; sed me vera pro gratis loqui, et si meum ingenium non moneret, necessitas cogit. Vellem equidem vobis placere: sed multo malo vos salvos esse; qualicumque erga me animo futuri estis.*" In the course I have taken, I have been mainly influenced by the anxious desire to provide for the maintenance of Protestant Interests; and for the security of Protestant establishments. This is my defence—this is my consolation—this shall be my revenge.

Sir, I will hope for the best. God grant that the moral storm may be appeased—that the turbid waters of strife may be settled and composed—and that, having found their just level, they may be mingled, with equal flow, in one clear and common stream. But, if these expectations are to be disappointed—if, unhappily, civil strife and contention shall survive the restoration of political privilege;—if there be something inherent in the spirit of the Roman Catholic religion which disdains equality, and will be satisfied with nothing but ascendancy—still, I am content to run the hazard of the change. The contest, if inevitable, will be fought for other objects, and with other arms. The struggle will be—not for the abolition of civil distinctions—but for the predominance of an intolerant religion.

Sir, I contemplate the progress of that struggle with pain; but I look forward to its issue with perfect composure and confidence. We shall have dissolved the great moral alliance that has hitherto given strength to the cause of the Roman Catholics. We shall range on our side the illustrious authorities which have heretofore been enlisted upon theirs;—the rallying cry of "Civil Liberty" will then be all our own. We shall enter the field with the full assurance of victory—armed with the consciousness of having done justice,

and of being in the right—backed by the unanimous feeling of England—by the firm union of orthodoxy and dissent—by the applauding voice of Scotland; and, if other aid be requisite, cheered by the sympathies of every free state in either hemisphere, and by the wishes and the prayers of every free man, in whatever clime, or under whatever form of government his lot may have been cast. I move you, Sir,

"That the House resolve itself into a committee of the whole House, to consider of the Laws imposing Civil Disabilities on His Majesty's Roman Catholic Subjects."

[Loud and protracted cheering followed the conclusion of the right hon. Secretary's Speech. It occupied more than four hours in the delivery. Throughout the right hon. gentleman was listened to with the most profound attention, and at times the cheers were so loud as to be heard in Westminster-hall and the passages leading to the lobby.]

Mr. *Bankes* rose amidst considerable disorder, occasioned by members hurrying from the House. Owing to this cause, and to the great impatience of the House, the hon. member was very indistinctly heard at the commencement of the speech. The hon. member observed, that the right hon. gentleman had put it strongly to the House in the course of his able speech, and had pressed it as a preliminary that things could not remain in their present situation. The right hon. gentleman also desired to know what answer could be given to that proposition? Abundance of answers might be found in the discussions which had taken place upon this question during the last ten or fifteen years. Indeed, he might be content to draw upon no other source than the right hon. gentleman's own speeches; which put it beyond doubt, that the peace of the country might be preserved, and the Protestant establishment maintained, without this innovation upon the constitution. The point which the right hon. gentleman now pressed had been repeatedly pressed against himself by Mr. Canning and others, and he had resisted it with great ability and success. This was, indeed, a day of triumph to the Catholic Association; and of pain, sorrow, and indignation, to those who, like himself, wished to maintain the Protestant establishment as it now existed, unaltered and unimpaired. Before he entered upon an examination of the provisions of the intended measure, he would recur to the

observations made by the right hon. gentleman, with regard to the Catholic Association. For his part, when he heard the dangers which were admitted to exist by the right hon. gentleman, he could not help doubting whether those who had brought the country into such difficulties would not prove themselves blind guides. This Catholic Association had been suffered to assume a dangerous degree of importance. A bill had been brought in, so long ago as 1815, by the present chancellor of the Exchequer, to put down that body; so that the danger had been long foreseen. The bill, however, then introduced was completely ineffectual; and it had been proved to be so by the law officers of the Crown; for they never attempted to carry its provisions into effect. What was the duty of the government under such circumstances? The acts of the Catholic Association had been as flagrant as at any subsequent time. In 1825, Mr. Canning and Mr. Plunkett, those great advocates of the Roman Catholics had stated, that the present measure could not be carried, until the Catholic Association was put down; and they objected to that Association, not so much because it was objectionable in itself, as because it was an obstacle to the adjustment of the Catholic question. He was glad that a bill had been passed to put down the Catholic Association; for it was evidently an obstinate and factious body. It was contended, that this was a purely political question; but he denied it: and would contend, that it was a mixed question, for it was impossible, to separate its features. The constitution of the country made all the difference; and, he was therefore, entitled to say, that the question was religious as well as political. He knew not how any man holding a place in the legislature of this country could reconcile it to his sense of duty, to favour any measure likely to promote the present, much less the ulterior objects of the Roman Catholics. As to what those ulterior objects were, it would be absurd to affect ignorance. They were neither more nor less than the acquisition of the property of the Established Church in Ireland. Those were the ulterior objects of the Roman Catholics. Indeed, the Association itself did not attempt to deny that it had ulterior objects. When Roman Catholics were admitted to the situation of privy councillors no man could guarantee the

safety of the Established Church, or the integrity of the constitution. Thus, he hesitated not to say, the principles, for which our ancestors had suffered so much, were trampled under foot, and the only security offered was some regulation about the 40s. freeholders, which was as gross an injustice with respect to them, as it would be inefficacious considered as a security. It was of the highest importance that the House and the country should observe the *animus* with which the Roman Catholics sought for these advantages; seeing that it could not be for the things themselves, but for the uses to which they might hereafter be made subservient. He would finally call the attention of the House to this—that, though the right hon. gentleman had dwelt at great length, and with considerable eloquence, upon the dangers which might ultimately arise from the rejection of the Catholic claims, he had left out of view the dangers that could not fail to spring from the present concession—dangers that he considered present, immediate, and pressing.

Mr. O'Neill (member for Hull) said, that in the address of the right hon. Secretary of State for the Home Department, one observation had escaped him, which called for some notice from him and from those hon. members who thought with him upon this question. It was in consequence of that, and of that alone, that he then rose to occupy the attention of the House for a few minutes; and he was sure that when the House had those observations recalled to their mind, they would agree with him that he was justified in animadverting upon a certain portion of the right hon. gentleman's speech, wherein he had stated, that something like indifference had been manifested by gentlemen opposed to the claims of the Roman Catholics in remaining silent on the several discussions of the great and interesting question. Now, there could not be a more unfounded, he might say a more ungenerous charge. Honourable gentlemen opposed to the Catholic claims remained silent, conscious, not of any want of zeal in the good cause, but of their own incapacity to advocate the cause of the constitution and the established religion, with the talent and the eloquence of which it was worthy. Accordingly, they suffered right hon. gentlemen on the Treasury bench to speak the language which alone did justice to those sentiments which the

silent voters not less vividly felt. It was cruel to charge against them as want of zeal, that which solely arose from want of confidence in their oratorical powers—a want of confidence which suggested to them, that they were not justified in pushing themselves forward at a moment, and under circumstances, when all the imposing effect of talent and information was required, and when the mere numerical strength of speakers was a matter of second-rate consideration. He would, therefore, once more repeat a declaration, which he should never retract; namely, that their silence did not arise from lack of zeal, but from a consciousness of their own inability. On the introduction of a measure for the removal of civil disabilities affecting Roman Catholics, he confessed he felt a good deal disappointed at not hearing from the right hon. gentleman an eulogium upon the character of him who was the great architect of that measure—of him, without whose eloquence and talent it would never have been brought to the present crisis, and who might be said to have died a martyr to the cause of Catholic emancipation. However, instead of that eulogium, so naturally to be looked for and so justly deserved, they had nothing but a statement, which put the measure upon the ground of policy, and expediency and state necessity, disclaiming all the justice and liberality. He might reasonably have expected to have heard something like a peace-offering being made to the manes of that illustrious individual, whose career he had the happiness in part to witness. But the right hon. Secretary had passed over every generous and liberal topic of this nature, and had placed the question on the narrow grounds of expediency, and policy.—Having made that single observation upon the grounds taken by the right hon. gentleman, and the few remarks preceding, in vindication of himself and of those who thought with him respecting their conduct, he would detain the House a few minutes longer, not to express any sentiments of his own, but to read to the House the recorded opinions of men for whom they had on all occasions manifested the highest deference. The first of these to which he should direct attention was a passage in the speech of a noble and learned lord of high authority on this subject; and he trusted, that in submitting it, with one or two remarks, to the House, he should be

favoured with the same indulgence which the noble and learned lord in the latter part of the proposed quotation, had claimed for himself. The passage to which he had referred was to this effect, that he “felt perfectly certain, that if sixty or seventy Roman Catholics got into that House, the very next step would be an attempt to upset the existing Protestant establishment in Church and State.” He would now give that noble and learned personage the full advantage of that declaration. The next point to which he should advert was a demand made by the noble lord for time to deliberate. “I must,” said he, “have time to deliberate.” And he claimed now that indulgence from the government, of which that noble lord was a member, which that noble lord had demanded for himself. Again, from the same eminent individual he would quote the following declaration; namely, that he “must be fully satisfied that the proposed measure of relief contained nothing which should at all militate against the security of the Church and Constitution.” Further, he impeached the intended bill of the right hon. Secretary on the high authority of the illustrious duke from whom it proceeded—on the authority of no less a person than the head of his majesty’s government: he impeached it as being without any provision to guard against the danger, of which that illustrious individual was himself peculiarly apprehensive; at least, if they might judge from his recorded opinion, which was, that he “had no doubt that if the Roman Catholics were once admitted to political power, they would endeavour to procure from the Protestant Established Church an immediate restoration of all the church property of which they had been stripped at the Reformation.” Now, considering the bill of which the right hon. Secretary had given them an outline, he could see no clause in it which would provide against that justly-dreaded calamity. The next of the opinions of the supporters of the Roman Catholic claims which he should quote would be that of a right hon. Secretary of no light authority on Irish affairs—a gentleman of great talent, and possessing an early, intimate, and extensive knowledge of Irish affairs. In the year 1817, in the most unequivocal terms, he had declared his hostility to the demands of the Roman Catholics [cries of question!] He had more reasons than one for laying

these extracts before the House; and amongst those reasons one was, his wish to give the distinguished individuals in question an opportunity of explaining their former sentiments, and of reconciling them with their present opinions, so as in some degree to satisfy the people, that they had not been brought wilfully into the present awful dilemma. The right hon. gentleman had said, in the year 1819, "Do you think that when the Roman Catholics come into power, they will not aspire to establish the supremacy of their Church?" Now, the Catholic of 1829, was not much changed from the Catholic of 1819; and surely if it was dangerous then to admit them to political power, there was nothing in their character which justified their present admission. It was then the opinion of that right hon. gentleman, that the Roman Catholics, once in possession of political power, would spare no exertion to restore their church to its ancient splendour, and he had done nothing since to show that circumstances had changed their sentiments, or abated their zeal, or diminished their hostility to the Established Church, and to the constitution, as settled at the Revolution. Indeed, that gentleman had admitted that, from the very nature of things, they could not proceed otherwise. Such, he acknowledged, would be his feelings could he place himself in their situation; and yet the House was called on to admit Roman Catholics to the plenitude of political privilege, and without any provision that could be esteemed a security for the established church. In speaking of the dangers to the reformed religion with which the present measure was fraught, he by no means wished to have it understood that he designed to convey the slightest imputation upon the characters of such men as lord Gormanston or lord Fingal; but the body of the Roman Catholics were not composed of such men as these, and it was from the fanaticism of the great mass of that people that he apprehended danger. He was now told, that no danger would accrue from admitting the Roman Catholics to a full participation of power. The gentleman was proceeding to argue against that principle, when from the renewed disturbance in different parts of the House, he felt himself under the necessity of again entreating its attention, while he laid before them, not his own sentiments, but

those of the right hon. Secretary for the Home Department, whose present opinions they were quite willing to attend to, but whose past opinions they wished to bury in oblivion. Over and over again that right hon. gentleman had told them, that the Roman Catholics would never rest satisfied with permitting the Protestant establishment to retain its present state of ascendancy. The right hon. gentleman then went on to say, that his apprehension was, that the Roman Catholics would advance step by step, until they should make their final stand in open hostility to the established church and to our Protestant constitution. Supposing at any time it should occur, that they should have a king who, though nominally Protestant, was secretly a Catholic—the consequence would be, that he would select a Catholic minister, who in his turn would select a party on whom he could rely, and gradually make them amends for their long exclusion from the honours and privileges of the state. He begged to ask the right hon. gentleman whether he had seen a resolution of the Catholic Association; and if he had, whether he supposed that the proposed measure was one which would tend to tranquillize Ireland? On the 10th of December, last year, a resolution at the Catholic Association had been unanimously agreed to, "That the best security of the government was to be found in the happiness and freedom of the people; and that they were ready to give in return for emancipation, the security of their oaths of allegiance; but at the same time they were bound to declare, that any conditions annexed to the restoration of their rights would only tend to the increase of the danger." There was also another resolution which had been unanimously passed by that now self-dissolved, but, as he believed, latently-existing body, to the effect that any bill of emancipation, accompanied with an encroachment on the rights of the forty-shilling freeholder, ought to be resisted. The resolution went on to say, that in such a case every parish would assemble and denounce an attack on the rights of men whose constitutional demands constituted their only crime. Now, he wished to know how the forty-shilling freeholders would feel, when they found that by this act their neighbours, who happened to be a little richer than themselves, were elevated to a superior rank. He wished to put that to the consideration

of government, and to ask the House, whether the forty-shilling freeholders, on finding themselves deprived of their elective franchise, would not use all their exertions to bully, intimidate, and force the 10*l.* freeholders to vote as they pleased? He looked upon it, that England had been unfairly dealt with in this question. The country was not fairly represented; and he dared the ministers to a dissolution. They knew they could not carry the measure if the present parliament were to be dissolved. The parliament of 1826 had been elected with the understanding, that the cabinet was so constituted, that the Catholics would never come in. Confidence in the administration of lord Liverpool was the basis of the parliament in 1826; and he therefore contended, that a dissolution was the only fair way of arriving at the sense of the country.

Mr. *Trant* said, he had paid great attention to the principles upon which the Roman Catholics were excluded from political power: and those principles were so deeply rooted in his mind, that all the eloquence of the right hon. Secretary's four-hours' speech had not been able to shake them. He wished to examine the arguments which his right hon. friend had advanced; and, in the first place, with respect to his own peculiar situation, the House had been told, that his right hon. friend had felt his situation so peculiarly irksome, in having to advocate the Protestant cause almost alone in that House, that he had resolved to resign his office. Now, he did not think that the defence of the Protestant cause had been so entirely left in the hands of his right hon. friend as he seemed to suppose, though it certainly was true, that speaking was much more of a trade on the opposition side of the House than on the other [Cries of oh! oh! and laughter]. At all events, during all the discussions that he had witnessed on the question, there had been at least three speakers to one in favour of the Catholic claims. On one occasion, in the course of a former discussion, he had himself risen nine times, but could not obtain a hearing. Still, he could not see that the state of the cabinet was such as to call for the present measure; and he thought he was warranted in concluding, that his right hon. friend's dilemma was not so well founded as he had supposed. But his right hon. friend had said, that he would not have been able to have carried any

strong measure for the suppression of the Catholic Association. Now, he did not see how that could be. Would not all those who had voted against Catholic emancipation last year, have voted for the putting down of the Association, besides all those who were in office? He would then ask, what became of the plea of his right hon. friend, as to the extreme necessity arising out of a divided cabinet, and of an unmanageable House of Commons? For his own part, he could not see why his right hon. friend should have deserted the cause of Protestantism. He did not intend to make use of one of his right hon. friend's former speeches, which he had in his hand, and which he might almost say he had by heart. He must, however, be allowed to say, that it was a speech unanswerable, even by his right hon. friend himself; and by that speech his right hon. friend was so screwed—so nailed down—to the anti-Catholic cause, that he defied him to make a reply. He conceived all securities to be mere delusions, calculated to postpone, but not to avert, the evils of concession; and he was convinced, that if the government persisted in thus flying in the face of the people of this country, under the pretence of pacifying Ireland, they would inflame the Protestants of England into a much more dangerous discontent. The hon. member concluded by declaring, that if the Catholics must be represented, and if they must be admitted into parliament, he would say, let them have a parliament of their own in Ireland; for he would much rather consent to that—even if it went to the dissolution of the Union—than that Catholics should be permitted to sit in the parliament of England.

Sir *Robert H. Inglis* rose and said:—Sir; the difficulty which I have frequently felt in addressing the House on the present question is considerably increased when I have to oppose those with whom I have formerly acted, and particularly the representative of his majesty's government, my right hon. friend, as I still call him, when I recollect the respect which I have so long felt for him, and the good will which I believe he has so long entertained towards me.

The question is no longer brought forwards as one of right, and of principle;—but is urged upon us as a question of expediency only:—and, as my right hon. friend states that he retains his opinions

as to the dangers of concession, the expediency to which he yields ought to be shown by him to be so strong as to amount almost to actual necessity. Nothing but a state of things, the difficulty and danger of which amounted very nearly to necessity, could have justified the government in the extraordinary change of their policy on the great question which has so long been before us. The reasons for that change are founded, according to the right hon. gentleman, on the state of Ireland, the state of the Cabinet, and the state of the Parliament. With respect to the first point, I contend, that the state of Ireland not only does not present to us any new features, but that it has not been occasioned by the Penal-laws against the Roman Catholics, and cannot, therefore, be amended by a repeal of those laws. I would appeal to my right hon. and learned friend, the member for Knaresborough, so intimately acquainted with all history, whether in the earliest native chronicles of Ireland, there is not found the same uniform scene of social misery, and political dissension, which have characterised that country in our own times. I appeal to every man acquainted even moderately with Irish history in any age, whether the same unvarying picture which we now behold, has not always presented itself. Long before the civil disabilities, or the Penal laws, long before the Reformation, long before an Englishman had landed in Ireland, this state of things existed there. This turbulence, whatever be its temporary designation, has always existed, from the first days of Irish annals to the days of our own memory;—to the Peep-of-Day Boys, the White Boys, Hearts of Steel, Defenders, United Irishmen, or to Captain Rock;—I am authorised, then, in the assertion, that evils which existed before the Roman Catholics were excluded from parliament, evils which are not proved to have arisen from their civil disabilities, because they are found to have preceded them, will not be relieved by any of the remedies now proposed.

The right hon. gentleman asks us, what other remedy, then, can the opponents of Roman Catholic emancipation propose for such a state of things? To this I answer, first, that firmness would have prevented some of the evils of the present day, and would even now prevent their exasperation; and secondly, that, be those

remedies what they may, they ought not to be sought by breaking in upon the constitution of 1688.—When I use that phrase, let me say at once, in reference to a challenge of the noble lord, the member for Yorkshire, the other night, that I do not mean that the constitution was created in that year; but, that it was in that year consolidated and secured; and that no fundamental change, involving any principle then established, has since that time been made. I contend, then, that his majesty's government, before they hazard such a measure, ought to show, not merely that the evils of Ireland are greater than they have ever been before, but that they have themselves tried unsuccessfully every other remedy. Now, first as to the proof of the increase of the evils of Ireland:—what is the case brought forward by the right hon. gentleman on a former night?—Why, that, such is the state of excitement between the two parties in Ireland, that Mr. A. cannot get his potatoes dug, and that Mr. B. cannot get his peats stacked;—and is it for such evils, brought forward in the House of Commons as forming part of the justification of his majesty's government on the introduction of the present bill, that the Protestant constitution is to be changed?—Then, what is the proof that any of the ordinary remedies have been tried, and have failed?

But then, says the right hon. gentleman, there is the evil of a Cabinet continually divided upon this question. Sir, I cannot help asking—why, if this be an evil, the right hon. gentleman did not try to bring his colleagues over to his conduct, rather than yield himself to theirs? There might be a delicacy in the proposal, if he had asked them to change their opinions; but as he tells us that he retains his own opinions as to the dangers of concession, he might surely have asked his colleagues to suspend their opinions, and to concur with him in the formation of a cabinet united against concession; instead of suspending his own opinions, and joining them in a cabinet united for concession. Surely my right hon. and gallant friend, the Secretary of State for the colonies, was not so deeply pledged to the Roman Catholic claims, as the right hon. gentleman and the chancellor of the Exchequer were pledged against them. So far, therefore, the right hon. gentleman needed not to have despair,

ed of forming a cabinet in union with his own opinions : so far, if the evil be one of any weight, he needed not to have changed his own course : he needed not to have struck the colours, under which he so long fought; and under which he might still have rallied such a force of public opinion, as would have ensured the triumph of any cause, of which he had continued to be the leader. But, says the right hon. gentleman, look at the state of parliament, and the continued collision between the two Houses. On the first point, I will only say, that his enumeration of the majorities appears to me to be erroneous, and the conclusion which he draws from that enumeration to be consequently unfounded; since, in 1813, I think the majority was 129; whereas in 1828, it had decreased to 6: and I have not the least doubt but that an appeal to the people on this particular question, would have ensured such a return to this House as would have given confidence to the most timid minister.

The right hon. gentleman said;—You have only the alternative of civil war, if you refuse to pass the present bill. Sir, I deny the alternative: the utmost which I will admit is this, that you have the choice between the chance of an insurrection to-day, and the higher, far higher chance, almost the certainty, of a civil war to-morrow. At the utmost, you only postpone the evil day, as my hon. friend, the member for Dorsetshire, has well stated; and it is for the right hon. gentleman and the House to consider under what different circumstances the attack would be resisted now, than it will be hereafter, when you have armed the Roman Catholics, and alienated and abandoned the Protestants. I do not underrate the horrors of insurrection or of civil war. He does not deserve the name of man, of Englishman, or of Christian, who can look with indifference on war without horror; on civil war; without unmingled bitterness at civil war among our own Christian fellow-subjects;—but I repeat it; civil war is not the alternative to which we are forced; firmness would have prevented many of the present evils, and firmness even now would remedy many of them.

Sir, the right hon. gentleman has fearfully erred in not relying on the aid and force which he might have derived from the people in the maintenance of their constitution. I do not accuse him or his colleagues of having preferred their places

to their principles; I do not underrate the sacrifices—I, at least, am not the person to underrate the sacrifices—which the right hon. gentleman has made to give effect to his new policy. I admit those sacrifices fully: but I complain that his majesty's government have yielded needlessly and fatally to intimidation; that they have not had that confidence in themselves, which we had in them; that they did not, as statesmen, measure the force and progress of public opinion; that they have grossly miscalculated their own strength, and the spirit with which the people would have supported them in the defence of the sacred cause committed to them. The noble duke, unrivalled as he is, and, above all men successful in directing the energies of brute force, has never learned to calculate the powers and the resistance of opinion. He is not aware of the rising—still rising—force of public opinion, against which he has arrayed himself, when he recommended to the Crown measures hostile alike to the principles of the constitution, and to the wishes and feelings and sentiments of an immense majority of the people of England.

We are asked, after all, what is the danger which we apprehend from concession; what harm can a few Roman Catholics do here, or in the other House? Sir, a few men well compacted, have done much even here; and will do much more when united by such a principle as the religion of the church of Rome. And who is to limit the number of Roman Catholics to be admitted to the other House? The hon. member for Durham (Mr. M. A. Taylor) said yesterday, that the utmost number of Roman Catholic peers is only five or six, and asked, what injury to our institutions can that number effect? I ask again, what security is there, that a Roman Catholic minister from principle, or a Protestant from ambition, may not create as many Roman Catholic peers as may enable him to carry any measure?

Sir, we have been often told, and shall be told again, that gratitude to the Roman Catholics for supplying our fleets and armies, ought to induce us to admit them to civil power. I do not perceive the connexion, or admit the argument:—if the Roman Catholics furnish the best materials of our public forces, they have now at any rate, and have had for many years, the best and most appropriate rewards; and the Roman Catholic peasant may,

from a private, rise, unchecked by any laws, to the very highest rank of the military profession. But I contend, that, while in thus engaging in the duties, and enjoying the honours of the army and the navy, they are ministering to the strength and energy of the whole empire, they are not thereby better fitted to legislate for other interests to which they are necessarily hostile, and to be intrusted with the concerns of our Protestant church. In their own sphere, they are sources of strength and prosperity: but the case is very different, if to an element so uncongenial with our own, we give political power: just as milk, the most nutritive substance which we can take, received as food into the system, sustains the whole; but infused, even one drop, into the blood-vessels of the constitution, its taint is fatal. The moment that one Roman Catholic enters this House, and thus destroys the essential purity and Protestantism of our legislature, that moment is the commencement of a system, which will soon terminate in realizing all those evils, which the right hon. gentleman himself has so often foretold as the consequences of concession: the danger may not be to-day, or to-morrow; but a very few years will see the destruction, or, at least, the irreparable injury, of the church in Ireland, if not of our own still nearer interests here;—these evils are the subject of the just apprehensions of the people of England, who have approached this House in such numbers, urging us to pause before we inflict them; but these evils will even now, if unhappily we should disregard the prayers of the petitioners, be still, I trust, averted by the interposition of that hand, to which the people look with increasing hope and confidence.

Sir George Murray said:—Sir; If ever it had happened to me before, at any time, to have delivered my sentiments in this House upon the Catholic question, I should deem it proper again to do so upon the present occasion. I should deem it right to do so even as an individual member of the House, and still more proper and more necessary, standing here, as I do, in the capacity of a minister of the Crown. So strongly, indeed, am I convinced of that necessity, that I think I should be acting inconsistently with my duty, if I failed now to express fully to the House, the opinions I entertain upon this most important and most vital question to the interests of the country: and this necessity must be the

more obvious, when I state, that I have never before taken any part in the discussions which have occurred upon this question; and have never, at any time, given a vote upon it.

The first occasion on which I had it in my power to give a vote, connected in any manner with the affairs of the Catholics, was in the session of 1825. On that occasion, I voted for the suppression of the Catholic Association. I did so, because I was convinced—and I still entertain the same conviction—that the existence of such an Association, no matter whether composed of Roman Catholics or of Protestants, was incompatible with the exercise of the just authority of the government, in any country whatever. I have again given my vote, in the present session, for the suppression of the Association, on the same grounds; but with this additional motive, that I conceive that nothing could more impede, or more prejudice, the discussions about to take place in parliament on the recommendation of the Crown, and calculated to produce such important benefits to the state, than the existence, at the same time, of the Catholic Association. But, although I gave my vote, in the session of 1825, for putting down the Association, I took no part in the subsequent debates upon the Catholic question. I had, indeed, a strong feeling of the justice of the claims of the Catholics; but I found the question surrounded with so many difficulties, and saw so little prospect of the opposite parties being able to come to any satisfactory understanding upon it, that I thought it better to abstain from taking any part in a discussion, in which neither my voice nor my vote was likely to be productive of public advantage.

Soon after the period to which I have alluded, I had the honour to be appointed to the military command in Ireland. This appointment placed me in a situation to observe more closely the state of things in that country; and having been called upon, in the absence of the Lord-lieutenant, to fill, for a time, the office of one of the lords justices, the civil affairs of Ireland came under my notice, in addition to those connected with my appointment as commander of the troops. The result of my observations in this double capacity was, a thorough conviction, that the country had arrived at a state in which it was impossible that it could remain, and that it was absolutely necessary, either that the

government should move forward into a different system, or that it should trace back the steps which it had thus far pursued. I say, it was impossible for things to remain as they were; for all the connexions of society were loosened, and all the bonds by which it is linked together were every moment in danger of being broken. But I saw also, that it was not possible to go back, and be able to retain at the same time any system which could merit the name of civil society. I knew, indeed, that a frame of society could be formed upon different principles, that a frame of society could be formed, founded upon penal statutes, and upheld by the sword and by the bayonet; but I knew that such a frame of society could not have the slightest analogy with the British constitution.

Having mentioned the British constitution, I must beg leave to make a few remarks, in reply to the observations of those who have asserted that we are now about to destroy it. The opinions which those gentlemen entertain with regard to the British constitution, are very different from mine. They seem to think, that the great principle of the constitution is, the principle of exclusion; but I think, on the contrary, that the great principle of the British constitution is, the diffusion to every class of the community of all those blessings which it is so well formed to bestow. Those gentlemen maintain, that the measures now proposed to be brought forward by his majesty's government, will be an infringement of the constitution; but my view of the matter is, that exclusion is itself an infringement upon the true spirit of the constitution, to the extent to which it goes. But these gentlemen would date the constitution only from the year 1688, whilst to me it appears, that its origin is to be traced to a period much more remote. I am most willing, indeed, to admit, that at the period of the Revolution, the best principles of the constitution were successfully asserted, upheld, and amended. I am most willing to admit, that improvements and ornaments were then, indeed, added to the structure, but its deepest and its broadest foundations were laid at a more ancient date; and let it be remembered, that they were laid by Catholic hands, and cemented with Catholic blood.

It has been argued by the hon. baronet who spoke last, that by looking into the

remotest periods of her history, we shall find that Ireland was then a prey to internal disturbance, that we may trace the like disturbances through every age, and that they still continue; and hence my hon. friend has concluded, that these disturbances must for ever continue. We are to infer, then, from his statements, that discord is to be the perpetual destiny of Ireland, in all the future, as it has been in all the past periods of her existence. Is it that there is something peculiar in the climate of Ireland? or is it that there is something peculiar in the character of her brave and generous people, which is to render that country for ever impregnable to improvement? I am incapable of discovering anything which should for ever preclude Ireland from the possession of that tranquillity and civilization which England has so long enjoyed. I can see nothing which should prevent Ireland from following in the footsteps of my own country (Scotland), which has made within the last fifty years such rapid advances in all the branches of improvement and of civilization. As far as my opportunities of observation have enabled me to judge, during the period of my services in Ireland, I am convinced, that there is no nation more capable than the Irish of advancing in arts and in sciences; and of carrying to their utmost extent the improvements connected with agriculture, manufactures, and commerce. It requires only the encouragement of a better system of policy, and of a liberal government, to afford to Ireland the opportunity of realizing all these advantages, and that, too, in a degree, of which the hon. baronet has perhaps not yet formed any conception.

Allusion has been made to the evil of a divided cabinet, as if that, indeed, had been the main evil to be cured; and the hon. baronet has asked, why my right hon. friend beside me has not sought to bring over some of his colleagues to the opinions entertained by himself, rather than alter his own line of conduct in conformity to theirs. My right hon. friend has given sufficient evidence to-night of the powers which he has at his command to persuade; but the real evil was not the division of the cabinet, the real evil was in the condition of Ireland; and the change which my right hon. friend has made not so much, perhaps, in his private opinion, as in the line of his public conduct, was the best and the only remedy. For my own part, I

rejoice in that change, for several reasons, I rejoice in it, because the sincere application of the extensive knowledge and the powerful abilities of my right hon. friend to the advancement of the measure, gives me the best pledge I can have for its success. But I rejoice in it also, because, to those who are most apprehensive as to the consequences of the proposed measure, the known opinions and the past conduct of my right hon. friend, give the best security that those interests and those establishments, for which they express most alarm, will be effectually protected. Of this, indeed, I trust they will find that they have a pledge in every member of the government; that pledge is, however, most conspicuous in my right hon. friend. But, the truth is, that the dangers to be apprehended, are to be apprehended from the condition in which our Catholic fellow-subjects are placed; and those dangers will best be guarded against, by extending to them an act of liberality and of justice.

The hon. baronet has alluded to the noble duke at the head of the administration, and to the force which he has been most accustomed to wield, and which the hon. baronet has designated as the "brute force" of the country; a term intended to intimate, no doubt, what is the characteristic of the military profession. For my own part, I can only say, that I shall always deem it an honour to have devoted to that profession the greater part of my life. It is from it that I have derived those liberal sentiments which I hope I possess. For in the army there are no distinctions, no differences on account of religion. It is in civil society only that I have found such differences prevail. In the army, the Catholic and the Protestant soldiers dwell in harmony in the same tent; they march in the same ranks; they mount together the same breach; and the only competition which is known between them, is, the competition of emulation to excel in courage, and in fidelity to their country. And if they fall together in the same field, they are laid together in the same grave; leaving behind them the same feelings of regret in the breasts of their surviving comrades; and carrying with them to another world, the same hopes in their common Redeemer. This is the character of the army with reference to the points which we have now been discussing; this is the character which my experience

justifies me in giving of it; and this is, I trust, a sufficient reply to the imputation conveyed by the expression of the hon. baronet, that "brute force" is its predominant principle. Why is it that, in civil society, the same spirit of peace and of harmony is not to be found? Why is it that men of different religious persuasions live in harmony under military authorities; but that under the civil magistrates, and, I lament to say, even under those who should be the ministers of peace, fellow-citizens are arrayed against one another, and are roused to mortal combat?

That the government has been influenced by intimidation has been a favourite topic with some of those hon. members who are most opposed to its present measures. I ask, Sir, by what intimidation? Has it been by the Catholic Association, and by the numerous but unarmed multitudes who have been influenced by its speeches, or swayed by its power? I have seen that power when I commanded the army in Ireland, and I deemed that the power of the Catholic Association was as nothing, when measured against the power of the State. But there was indeed another source of intimidation, of an intimidation against which no army, however brave and however numerous, can be an effectual protection. I mean the intimidation resulting from a well-grounded apprehension, that the bonds of society might at any moment be broken by the collision of hostile parties, who stood ready for mutual destruction. The intimidation that must result from the certainty that when such a state of things should arise, the gratification of private revenge, and the perpetration of private outrages, were evils which no military power could prevent, and no force of the government would be able to control. Another danger was to be found, in the willingness supposed to exist in one of these hostile parties, to provoke their opponents to actual combat; and but a little call was required to be made upon their courage for such an attempt, for they were themselves arrayed and armed; they were certain that in such a conjuncture, the power of the state would be constrained to give them all its support, and they knew that the combat would be with unarmed multitudes, who could only crouch and be slaughtered. But what is the object of civil society? for what do governments exist? It is not to side with one portion of the people, to oppress and to

destroy the other; it is for the peace, and for the protection of the whole. For my part, I can see no objection to the present measure; on the contrary, I hail it as a bond of Union, and as a pledge of security; and I regard it as the most certain means of confirming the tranquillity, of increasing the prosperity, and of extending the power of the empire.

Lord *Milton* observed, that after the eloquent and convincing speech of the right hon. baronet, it might seem presumption in him to offer any observations to the House. But with the sentiments in regard to this subject which he entertained, and had long entertained, he felt that it might be considered a species of ingratitude to the right hon. Secretary of State for the Home Department, and to the government by whom this great measure was brought forward, if he did not rise to express his grateful thanks, not merely for the measure itself, but for the manner in which the boon had been conferred. If there were one single point on which he desired not to be considered as concluded, and on which he desired to reserve to himself the right of further deliberation, still he should be ungrateful if he did not express his cordial and entire approbation of the measure. He admired its simplicity; it was one of the attributes of wisdom to be simple [a laugh]; simplicity was one of the greatest attributes of plans which had in view the attainment of great ends. It had always appeared to him, that there was something in circuitous and complicated contrivances unsuited to individuals of great understanding. The hon. baronet, the member for the University of Oxford, had made it a matter of charge against the measure proposed by his majesty's ministers, that it was inconsistent with the constitution, as fixed at the Revolution in 1688. But he agreed with the right hon. and gallant officer who spoke last, that we were not to look for the constitution to the year 1688. That measure was the result of a great struggle happily concluded, which secured their rights to the people: but the constitution was of much more ancient date. He should be sorry if any measure he advocated was inconsistent with the constitution of 1688; but if the hon. baronet would search the Bill of Rights, he would find nothing there of this Protestant exclusive system. The Protestant supremacy was, he knew, a part of the Bill of Rights; but there were other provisions

likewise. Did the hon. baronet say, that the constitution was impaired because Roman Catholics had the use of arms? He would remind him that one of the clauses of the Bill of Rights prohibited Papists from having arms. Yet no one would say that the placing arms in the hands of Papists was inconsistent with the constitution. The law which excluded the Catholics from parliament was a temporary measure, and never intended to be perpetual. He had said last night, that what was called the present constitution took its date, not from 1688, but from 1678. Historical references to the circumstances under which the laws at that period passed, bore him out in this assertion. That Act was passed by a House of Commons reeking with phrenzy, at the perjuries of Titus Oates. It was passed for the purpose of preventing a Popish successor ascending the throne, whose principles were hostile to the spirit of the British Constitution. It was not so much for the purpose of excluding Catholics generally and permanently, as for the object of preventing a Popish successor to the throne. The Test-act was passed in 1672, and it professed to exclude Catholics from Parliament and Corporations. It was aimed at the duke of York, who was known to be a Roman Catholic. The noble lord proceeded to advert to the statutes which were passed to defeat the succession of the duke of York, and to obstruct the designs of Charles 2nd. who was known to be in a secret alliance with France for the destruction of the United Provinces, and for the establishment of the Catholic religion in this country; from which he inferred the well-grounded deduction, that those laws were passed by the people against the Stuarts, the whole of whose career in this country was one continued opposition and hostility to civil liberty. Under these feelings it was, that all the laws against the Papists were passed. He could not, therefore, bear to hear it asserted that it was contrary to the constitution of 1688 to open the two Houses of parliament to Catholics. Then the hon. baronet, and those who were of his school, were pleased to say, that the Roman Catholics were hostile to the liberties of England, and therefore ought not to be admitted into parliament. Now, he should be disposed to give credit to them for this discovery; but that he had observed, that they had not given the benefit of their support to other dissenting

sects, who were not liable to this reproach : take the Independents, for example, who, in the worst of times had respected the rights of civil liberty. When, therefore, he found the hon. baronet arrayed against the repeal of the Test and Corporation acts, for the relief of the Protestant Dissenters, the hon. baronet must forgive him if he suspected that he was actuated by other feelings than a desire to defend the civil liberties of the country. It had been argued by the hon. baronet, as if the admission of a single Catholic into that House was to operate like a drop of acid in a cup of milk; that the constitution would then be completely annihilated; that the Church of England, or, if not the Church of England, the Church of Ireland, would then be overturned. If hon. members would indulge in ideas so truly ridiculous, as that the admission of a single Roman Catholic would destroy the whole church establishment of Ireland, they must not be surprised if sober men refused to give credence to such notions. So far from the constitution receiving any injury from this measure, it appeared to him, that it would derive great benefit from it. The English constitution was not made for exclusion. It was the sentiment of that great statesman and orator, Mr. Burke, that either exclusion would destroy the constitution, or the constitution would destroy exclusion. For himself, he rejoiced, that the constitution would destroy exclusion. Would, said the noble lord, that we had that great statesman and philosopher now in this House, would that he could see, in this measure, the fulfilment of his wishes, would that we could recall those other great men who had laboured so earnestly in this cause, that they might enjoy the triumph of this night, more particularly a right hon. friend of his (Mr. Grattan) who, the last time he opened his lips in that House, expressed himself so ably and so eloquently on this all important subject, and to whom the measure now proposed would have afforded unspeakable delight. He would not trespass further on the time of the House, but conclude with again thanking his majesty's ministers, and particularly the right hon. Secretary, not merely for the measure before the House, but for the manner in which it was to be carried into effect.

As soon as the noble lord sat down, there were loud cries of "Adjourn, adjourn," and "Go on, go on." At length, after some

minutes, during which considerable confusion prevailed, lord Tullamore moved the Adjournment of the debate till tomorrow, which was agreed to.

HOUSE OF LORDS.

Friday, March 6.

ROMAN CATHOLIC CLAIMS — PETITIONS FOR AND AGAINST.] The Bishop of *Gloucester* presented a petition against Concession to the Roman Catholics, from the Provost and Fellows of the royal college of *Eton*, a body which was highly respected, and well known to their lordships.

Lord *King* said, he was not at all surprised at this petition from *Eton*, seeing that one of the fellows of the royal college had lately preached a sermon in which he was pleased to use these words, to which he begged the attention of their lordships, leaving them to judge whether it was fit that such doctrines should be held out to the youth of this country:—"Romish principles are fast creeping in upon us, and if not opposed they will undermine and ruin us in church and state. Stand up, therefore, my brethren,"—he had better have said my boys,—“and support those laws which our government intend to abandon.” This was the sort of political instruction which the young gentlemen of *Eton* received from the pulpit.

The Bishop of *Gloucester* supposed that the noble lord stated this upon authority, but, for himself, this was the first time he had heard of such a sermon.

Lord *Torrington*, in presenting a petition in favour of the Catholic claims, said, he had been last night called to order, he did not think very correctly, for stating how a certain petition against the Catholic claims had been got up. The petition which he held in his hand furnished him with an opportunity of giving that explanation to their lordships. He had investigated the mode in which it had been got up. He had taken with him a respectable man, who was of a different opinion to himself, and had put certain questions to the persons who had signed the petition. He asked some if they signed it themselves? They said no,—that the clergyman's servant had signed it for them. He asked some of them, whether they knew the purport of the petition, and they said they were told that it was something about the Romanists, who, if they

got the upper hand, would fry the Protestants over faggots. He asked them where they got this notion, and they showed him a picture of two Protestants being fried over faggots by the cruel and inhuman Catholics. He turned to one man and asked him, why he had signed the petition. The man answered that he had not signed it; but that his wife had said that she was sure he was against the Romanists, and so signed it for him. This woman had also signed for her son, a lad of thirteen years of age. He had found, also, that a great part of these petitioners were children. Now, the clergyman of the parish was one of the most amiable men possible, and so kind and charitable to the poor, that he believed his parishioners would renounce their salvation if he were to ask them. Their lordships would see, therefore, of what value the petition was. He was perfectly convinced that, generally speaking, the yeomen of the country knew nothing and cared nothing about the Roman Catholics.

The Marquis of *Bute* said, he had to present a petition from Cardiff. The petitioners expressed great satisfaction at his majesty's gracious recommendation, that the claims of the Catholics should be taken into consideration; and they also expressed the most entire confidence that this recommendation would be carried into effect. He heartily concurred in the sentiments of the petitioners, among whom were several magistrates and clergymen of the established church.

The Bishop of *Bath and Wells* presented a petition against concession from the parish of Sherwood, in the county of Somerset.

Lord *King* said, that this petition might be called the prayer of the ghosts of the victims of the cruel judge Jefferies, as this was one of the parishes in which he had exercised his authority, and the petitioners had accordingly dwelt upon the fate of the unhappy persons who had suffered by him.

The Bishop of *Bath and Wells* acknowledged that they had done so; and submitted, whether the cruelties of Jefferies were a good reason for granting an increase of power to the Roman Catholics. When he saw the noble lord coming forward in the way in which he so frequently did in that House, the vision of a former chancellor appeared before him, and said, or seemed to say. [The right reverend prelate

here repeated a classical quotation, but the words of it were not distinguishable below the bar. It appeared to create much merriment among their lordships].

HOUSE OF COMMONS.

Friday, March 6,

MINUTES. LORD WILLIAM RUSSELL informed the House, "that the Committee have determined, that DANIEL O'CONNELL, esq. is duly elected a Knight of the Shire to serve in this present Parliament for the County of Clare; that the Petition of THOMAS MAHON, esq. and others, did not appear to the said Committee to be frivolous or vexatious; that the opposition to the said Petition did not appear to the said Committee to be frivolous or vexatious."

ROMAN CATHOLIC CLAIMS — PETITIONS FOR AND AGAINST.] Sir *E. Harvey*, in presenting some petitions from different parts of Essex, against the Roman Catholic Claims, took occasion to say, that the bill intended to be introduced with respect to the Catholics, instead of being a measure likely to conciliate all parties, was much worse than he could possibly have imagined, and he was therefore determined to give his unqualified vote against it.

Mr. *W. Smith*, presented petitions in favour of Roman Catholic emancipation, from sundry congregations of Dissenters. One of them, he said, was signed by twenty thousand persons. In stating that, however, he was by no means disposed to say that too great attention ought to be paid to numbers, but only to adduce the fact in answer to those who insinuated that the dissenters were unfavourable to the Catholic claims. As to numbers, he was old enough to recollect the period when that House was threatened with a petition on the same subject as that at present agitated, with 120,000 signatures. The lamentable result of the agitation which took place at the period to which he alluded, was the loss of four or five hundred lives, and finally the confinement for insanity of the individual in whom the evil originated. This and many other occurrences of a similar nature, convinced him, that the uninformed classes of the people were perfectly incapable of forming a sound judgment on such subjects.

Mr. *Pelham* reprobated the disposition that seemed to exist in some quarters to deny the people their birthright, the right of petition; and asserted his conviction that there were many persons in the lower and middling classes as able judges of the blessings which the country derived from

the Protestant establishment as any other people in the kingdom.

Mr. *W. Smith* observed, that if any man who heard the speech of the right hon. Secretary of State, last night could lay his hand on his heart and say, that the common people were able to discuss the various topics which that speech embraced, he would immediately give up the point.

Sir *R. H. Inglis* said, he rose to present to the House several petitions on this all-absorbing subject. They had heard it stated, by one of the first ministers of the Crown, that it was expedient to break in upon the constitution. He had also heard, with equal surprise, that the properest mode of ascertaining the opinion of the people was from the opinion of their representatives in that House. He allowed, that was one mode of ascertaining the opinion of the people; but, collecting that opinion from the exercise of the right of petitioning, was an equally valuable mode. Although the people at large might not be competent to the discussion of abstruse subjects, they were perfectly competent to judge of the value of blessings which they enjoyed, and which it was threatened to take from them. He trusted that the voice of the people would yet be heard. As it had been said, that an opposition would be made to presenting petitions, he trusted that those who had petitions to present would insist on their undoubted right to present them. The hon. baronet then presented a petition from the city of Bath, signed by five thousand eight hundred and six persons, which had been signed in thirty hours, and to which three thousand more names would have been attached had not the individuals previously signed other petitions.

Sir *T. Lethbridge* said, that as he had himself presented a petition from Bath, numerously signed, and as he was the representative of the county of Somerset, he begged to be allowed to say a few words. He was quite satisfied of the highly respectable character of the petition just presented; and he was also quite satisfied, that the feelings of the people of Bath were decidedly hostile to the Catholic question, as it was now understood by them. He was likewise convinced, that a large majority of his constituents were adverse to the course at present recommended by his majesty's government. At the same time he must add, that he believed there existed much altered feeling

on the subject, though to what extent that alteration might have gone, he would not pretend to say, because he was not sufficiently informed respecting it. But this he would say, that he knew an altered feeling of the nature to which he had alluded did exist; and a counter petition to that which had been presented by the hon. baronet—which counter petition had grown out of the altered feeling to which he had averted, and was most respectably signed—afforded sufficient proof of the truth of his assertion. He would not then state his opinions on the great question under the consideration of parliament. He would do so in the course of the debates upon it. But he would now solemnly declare that he was no longer prepared to resist the adjustment of the question [hear, hear!].

Mr. *Brownlow* observed, that as a petition from Bath had been put into his hands, of a different character from that which had just been presented, the House would perhaps permit him to say a few words on the occasion. The petition which had been intrusted to him stated, that the petitioners had hitherto abstained from discussing the Catholic question, for fear of producing dissension and ill-will; but that, seeing that unjustifiable means were taking to alarm the country, they felt it to be their duty to approach parliament with the expression of an anxious wish that the civil disabilities under which the Catholics laboured might be repealed, as far as was consistent with the maintenance of the constitution and the safety of the empire. This petition was signed by nine clergymen, resident in Bath, four members of the corporation, forty officers of the army and navy, upwards of a hundred tradesmen; in all three hundred and eight persons.

Mr. *Portman*, on presenting three petitions from different places in Dorsetshire in favour of emancipation, congratulated the hon. member for the county of Somerset on his change of opinion with respect to the Catholic question, which he was sure would afford satisfaction to a large portion of the hon. baronet's constituents.

Mr. *Littleton* presented a petition, signed by nine thousand of the inhabitants of Wolverhampton, praying that no further concessions might be granted to the Roman Catholics. He could, from personal knowledge bear testimony to the great respect-

ability of the signatures attached to the petition; and he was likewise bound in honour to declare, that it expressed the prevailing sentiment of the populous town and vicinity from which it proceeded. Having said this, he also felt it necessary to state, that the petition did not emanate from a public meeting, and that his hon. colleague was intrusted with another petition of an opposite nature, from the same town, signed by two thousand persons, so that the present petition could not be said to represent the unanimous feeling of the inhabitants. The present petition prayed, that there might be no change in the constitution, and he agreed with the petitioners in their conclusion, but not in their reasoning; for he never could bring himself to believe that the system of permanent exclusion was any part of the constitution, any more than martial law was, although it had occasionally been found necessary to enforce it. He could not avoid congratulating the House and the country on the great measure propounded by government. The country had never possessed ministers more entitled to its confidence than the duke of Wellington and the right hon. Secretary for the Home Department. No reasonable person, he thought, could believe that those two individuals would propose any measure which was inconsistent with the safety of the constitution in church and state. Although he might differ in opinion from his right hon. friend, with respect to one part of the measure which was detailed yesterday, he would refrain from giving expression to that variance of sentiment, lest it might counteract the advancement of the measure, which he approved as a whole, and which was not less calculated to reflect eternal glory on those who had introduced it, than to confer eternal benefit on the country at large.

Sir *J. Wrottesley* said, he wished, for the first time, to offer a few words on this great question. His hon. colleague had rightly said, that the petition which he had presented did not express the unanimous opinion of the town of Wolverhampton. He had a counter petition to present from the same place, signed by two thousand, seven hundred and sixty most respectable individuals. The population of Wolverhampton amounted only to twenty-two thousand persons—men, women, and children. How, out of that number, could nine thousand persons have been found com-

petent to form a judgment upon such a question as the present? He had been informed by those for whose veracity he could vouch, that the petition presented by his hon. colleague had been signed by boys from a blue-coat school, and other children. He stated this, because when honourable gentlemen called upon the House to form their judgment of the opinion of the people from their petitions, it became absolutely necessary to examine into the means by which those petitions were got up. He was himself convinced that the great majority of the enlightened part of the community were in favour of settling a question which had disturbed England, Scotland, and Ireland, for the last two hundred years: and he could not be induced to alter that opinion by petitions got up as that and many other petitions had been got up. Why was not a public meeting called in Wolverhampton? It was only stated in a hand-bill, that a petition against the Catholics was lying at a certain place for signatures. If a public meeting had been called, the question would have been discussed, and he was sure the result would not have been what it was. Another thing which deserved the severest reprobation was the attempt to create delusion by means of inflammatory hand-bills. He had one in his hand which was circulated in the county which he represented. He would read three lines of it, and then ask the House if they thought it a fair representation of the measure submitted by government to the consideration of parliament.—“Britons, strike home! Defend the Constitution of 1688. No surrender! Fellow-countrymen, the constitution is betrayed; the outworks have been surprised; the citadel is in peril; there is not a moment to be lost. To your tents, O Israel” What could be the object of such an address but to foment discord and to excite civil war?

Mr. *Littleton* said, there might have been some irregularity in the signing of the petition; but he must repeat, that it spoke the prevailing opinion of the inhabitants of Wolverhampton. The petitions of all parties, however adverse those petitions might be to his own feelings, he should always hold as being entitled to respect.

Sir *G. H. Smyth* rose, to present several petitions from various parts of Essex, against further concessions to the Catholics. The principal of these petitions

was from Colchester, and was signed by three thousand persons. He wished the right hon. Secretary for the Home Department had been in his place, because he felt it necessary to animadvert on his conduct. He felt impelled by a sense of public duty to reproach that right hon. gentleman with political apostasy. That might be considered a strong term, but he thought that after the right hon. gentleman's speech of last night, he was justified in applying it to him. The right hon. gentleman had talked of not having been supported in that House in the battle which, until recently, he had been fighting against the Catholics, by those who entertained similar opinions to his own. But it was well known, that the body of country gentlemen, to which class he belonged, had not the ability to speak profoundly upon such subjects; besides that, it would be exceedingly inconvenient to the House if they were frequently to do so. As to the right hon. gentleman's speech last night, it would have been an excellent one if it had been delivered by any body but himself. It would have been an excellent one, if it had been delivered by the late Mr. Canning. It began with cant, and false reasoning prevailed throughout. He had hitherto supported the right hon. gentleman because he had considered him a constitutional politician; but the right hon. gentleman had betrayed the confidence which had been reposed in him. Who would have believed last year, when the right hon. gentleman was the champion of the Protestant cause, that he would ever have recommended to the House such a measure as that which he had last night described? He had not the vanity to suppose that he was able to argue the Catholic question with many of the hon. and learned persons who surrounded him; but he would not yield to them in his knowledge of the Catholic character. It had happened to him to receive part of his education in Catholic France, and in a seminary to which young Irish Catholics were sent to qualify themselves for the sacred profession. He then formed an opinion of them, which had been matured by many years' observation and reflection; namely, that they were intolerant and bigoted, and not to be trusted. Would any man tell him that the Catholics would be satisfied with equality; or that they would be satisfied until they obtained an ascendancy? Every Catholic who was true to his religion

was a bitter enemy to Protestantism. He might be called a bigot; but if it was because he supported our church and constitution, he gloried in the appellation. He should give the strongest opposition in his power to the measure proposed by government, and if it passed he should not care how soon he ceased to be a member of that House.

The *Chancellor of the Exchequer* said, he did not rise to vindicate the eloquence or the argument of the speech made last night by his right hon. friend. He would trust those points to the general feeling of the House; he would trust them to the feelings of every one of what opinion soever; he would trust them to the feelings of those who sat round his hon. friend; he would trust them to the feelings of the hon. baronet himself, in his cooler moments. In saying that his right hon. friend's speech would have done honour to Mr. Canning, his hon. friend had given the best possible testimony of the impression which his right hon. friend's speech had made on the House. What he rose for was, to assure his hon. friend, that if he conceived his right hon. friend intended to cast any imputation on him, or on other hon. members, for not having, on former occasions, addressed the House on the Catholic Question, he had quite misapprehended his right hon. friend's meaning. His right hon. friend's object was merely to bring before the House a matter of fact. He stated this fact, not to impugn any one else, but to explain the position in which the question necessarily stood.

Mr. *W. Peel* expressed a hope, that in the absence of his right hon. relative, he might be permitted to declare his perfect conviction, that he was actuated by motives quite as pure as those of the hon. bart. When a man's guiding principle was the good of his country, there was no inconsistency in supporting at one time measures which he had opposed at another time under different circumstances. Whatever might be said, he would not be betrayed into personal reflections, in answer to a personal attack: for he thought that an indulgence in personalities always carried its own punishment along with it.

Mr. *D. W. Harvey* expressed his decided opinion, that these petitions spoke the sentiments of the town, and neighbourhood of Colchester. It was not that his mind had not been made up, or that he had not paid ample attention to the

reasonings on each side of the question during the three parliaments in which he had had the honour of a seat in that House; but he had felt satisfied that until the question was made a government one—until it was introduced to a united parliament under the sanction of the Crown—there could be no hope of its passing successfully through the House. Now at length the question so presented itself; and, notwithstanding the great risk which he felt that he ran, of forfeiting the seat which it was his good fortune to hold, and which he had made such great sacrifices to attain, setting upon it, as he did, a value commensurate to the honour which it conferred upon an individual so circumstanced as he was—although he was conscious that, by his present course, he incurred the hazard of losing that distinction—yet he felt that he should be abandoning his duty to his constituents and his country, if he were to yield to any such consideration, and to place himself in opposition to the momentary feelings of his constituents, from an apprehension of their disapprobation. He used the words “momentary feelings,” because he felt convinced that within twelve months after the passing of the proposed measure, the majority of his constituents, now opposed to it, would find that they had acted under a delusion, and would feel rejoiced to find Ireland pacified, and the general interests of the empire consolidated and strengthened. There was only one other point upon which he wished to say a word or two. There was, in his mind, an immense difference between the Protestant religion and the Protestant establishment of the country. He felt quite satisfied that, so far as the Protestant religion was concerned, nothing would tend more to extend its influence than the total destruction of every sort of persecution. Sure he was, and he threw it out as a cheering consolation to his constituents, that the proposed measure would have the effect of purifying the established church, by cleansing it of certain undue emoluments [hear, hear!]. He considered that the removal of civil distinctions would tend to the consolidation of all Dissenters; and he was glad to have heard the right hon. Secretary of State, in the powerful and eloquent speech which he made last night, state that the Roman Catholics were to be placed upon the same footing as the Protestant Dissenters. He was also pleased to find that it was not attempted

to purchase the Papal priesthood by a provision at the expense of the country. There would hereafter be but two parties in the country—the one those who thought that the church ought to remain with its present appendage of boundless emolument, and the other consisting of the advocates of the purity of the Protestant religion, and who thought that the interests of that religion were best to be promoted by the spread of its tenets. He threw out these suggestions for the advantage of the inhabitants of Colchester, who, he was convinced, would hereafter see reason to be well satisfied with the measures now introduced by the Government; but, even if he were to lose his seat, he should retire, not with the disgust felt by his hon. colleague, because his friends opposite had deserted him, but he should reflect that, although he forfeited the approbation of his constituents, he withdrew with the recollection of having conscientiously endeavoured to discharge his duty.

Mr. *Spring Rice* said, he had not intended to trouble the House at the present stage of the measure, but some observations had been made, which he, as a member of the Protestant Church, and as an admirer of the measures brought forward by his majesty's government, felt called upon, in both capacities, indignantly to repel. If the case were to go forth to the country in the shape in which it had been put by the hon. member for Colchester—and he observed the manner in which the argument had been received, not by those who were the wise and rational and liberal friends of the Protestant Church, but by those who, however they might be attached to the Church, viewed every thing with reference to the Catholic question, and who cheered the observation because they thought it a recognition of the principles of the friends of the cause—he must protest that he was a friend to the question, not upon the grounds upon which it was put by the hon. member for Colchester, but from totally opposite feelings and motives. If this measure were likely to endanger the Protestant church, or at all to trench upon its constitution, then he should think Catholic Emancipation a measure attended with danger. Its object was, to consolidate every well-wisher of the Church of England, and to take away from the number of its enemies many who were disposed to approve of its opinions, but who felt a jealousy of it as being founded, as they con-

sider, in opposition to the rights, and feelings, and claims and interests, of the Roman Catholics. He would not add another word except to declare that he was a friend to the Catholic question, and would rather that the hon. member for Colchester had reserved for his constituents the benefit of his vote, or had persevered in a consistent neutrality; or even that he had opposed the measure, rather than have given it his support on grounds so delusive and mistaken, he would rather say, than insidious; because, if the question were to go to a division on the grounds stated by the hon. member for Colchester, there was not a friend to the Catholics on the Opposition side of the House, and, he hoped, not a friend to the established church on either side, who would not unhesitatingly refuse his support to it.

The Marquis of *Chandos* presented a petition from the clergy, gentry, merchants, manufacturers, and other inhabitants of Glasgow, against Emancipation. It was signed by upwards of thirty thousand persons. The petitioners expressed their alarm at the dangerous tendency of the proposed measures, and complained that they would be an infraction of the act of Union with Scotland. The noble lord observed, that he could never consent to the proposed measures, for he considered that they would not only break in upon, but overthrow the constitution. He had heard the statement of his right hon. friend last night, and he considered that his propositions went entirely too far; at the same time he gave him credit for the sincerity of his sentiments, and claimed the same for his own. Much stress had been laid on the fears said to arise from the state of feeling in Ireland; but he thought that that had been a good deal exaggerated. A great deal of it had been caused by the agitations of interested individuals, who had forced almost into rebellion a population which was otherwise disposed to be loyal and obedient. Differing so widely from the views taken on this subject by his right hon. friend, he would take every occasion which presented itself of opposing them; and he did not yet despair of success, for he thought the country would not bear what they believed would not only break in upon, but destroy their Protestant constitution. As to the securities mentioned, they were nothing; and he was sorry to hear that the constitution was about to be sold for a 10*l.* freeholder.

Mr. *Brougham* said, that a petition had been confided to him from the same place, signed by a large number, although the petitioners were certainly not so numerous as those who had signed the petition presented by the noble marquis. He would beg leave, however, to observe, that no person under sixteen years of age had signed it, and no person had been prevailed upon by any influence to affix his signature. He did not know anything of the mode in which the signatures had been obtained to the petition presented by the noble lord. He only wished to contrast the petition of which he now spoke, in certain particulars, with many which had been presented to the House. He might also be permitted to mention, that, although the petition was signed by four thousand two hundred persons, there would have been treble that number had the persons promoting the petition received the ordinary protection of the police. He did not, for his own part, see any objection to the various means often resorted to, to procure signatures to petitions, such as soliciting persons to sign, sending constables about to procure signatures, using a reasonable degree of influence, permitting women to attach their signatures, as well as soldiers and debtors in the gaols, as had been done in some instances. He saw nothing to object to in all this, and he had, on former occasions, stated his reasons for recommending gentlemen to abstain from invidious remarks on these points. But what he objected to was, that measures should be taken to obstruct the signing of petitions. This was a very different thing from using strenuous efforts to procure them on the other side of the question. He would take the liberty of reading a letter which he had received from a clergyman who had signed the petition, and which would show that such practices had been resorted to in the case of a petition in favour of the Catholics at Glasgow. He did not impute the blame of these proceedings to the parties promoting the petition now presented by the noble marquis. The communication which he had received stated the reasons why the petition which had been intrusted to him could not lie longer than one day. The letter stated that a place had been fixed upon where the petition was left for signatures. Shortly after a man was hired and stationed at the door, who, by calling out to the people not to sign in favour of the Papists, soon

caused a crowd to collect. The crowd hooted at every one who presented himself to sign the petition, and subsequently the police came and compelled the crowd, after giving three cheers, to disperse. One man who went to sign the petition was knocked down, and kicked. The person who committed the outrage was pointed out to the police, but no effort was made to secure him; but the abused person was taken to the police-office, and, having been severely questioned as to what had passed, was eventually dismissed. On the next day application was made to the police for protection, but adequate protection was refused. The place was, however, opened for a few hours, when the mob tore the petition, and it was unavoidably shut up again. On the day following, an assurance of protection having been given, the place was again opened, but a crowd gathered, and every one who approached to sign the petition was assailed with abuse, and repeated cries of Burke, Burke! Hare, Hare! Many persons were injured, and the landlord of the premises was compelled to intercede with the throng, to dissuade them from destroying his property. The rev. gentleman added in his letter, "Burke's affair has made a great sensation here." It might be proper to inform gentlemen, that this miscreant, who had received the reward of his atrocities, professed the Catholic religion. The circumstance had been used for stirring up the feelings of the people, and he was assured it had met with no small success.

Mr. *Mildmay* suggested, that as there were not more than six or seven hours for debate before an adjournment must take place, those who had petitions ought to reserve them for another occasion, and allow the debate to proceed.

The Marquis of *Chandos* said, he felt it his duty to proceed with the petitions committed to his care.

Mr. *Mildmay* then moved "That the order of the day, for resuming the adjourned debate on the Roman Catholic Claims be now read."

The Marquis of *Chandos* said, that feeling it his duty to present the petitions he had received, he was determined, if the hon. member pressed his motion, to divide the House upon it.

Mr. Secretary *Peel* expressed a hope, that the discussions on this important question would be carried on with as much good humour as was compatible with the

differences of opinion which existed with respect to them. As he was now up, he would take the opportunity of stating the course which ministers intended to pursue with respect to the intended measures. If the House should go into the committee, which he hoped and trusted it would do that night, it was his intention to move in the committee a resolution to this effect,—while he was on his legs—That it was desirable to repeal the laws which imposed civil disabilities on the Roman Catholics, with such exceptions as might be necessary to give full security to a Protestant State as by law established, and as would be sufficient for the protection of the Rights of the Church and of the Clergy. If the committee should agree to this, he would move for leave to bring in a bill to carry it into effect, and also for a bill to regulate the qualifications for the exercise of the elective franchise in Ireland. He could not bring in these bills sooner than Monday, and on their being read a first time, he would move that they be printed, and wait until that day week for the second reading; by which ample time would be given for the presentation of petitions from any part of the country on the subject. He knew his noble friend was too generous to press any thing hardly, and that his opposition would be conducted in a fair and frank manner. He trusted, therefore, he would now permit the debate to proceed, and defer the presentation of any petitions he might have to another evening.

The Marquis of *Chandos* said, he had no wish to take any unfair advantage, but being in possession of the House, and having other petitions to present, he could not accede to the suggestion of his right hon. friend, and would, if the motion were pressed, take the sense of the House upon it.

Mr. *Mildmay* said, he would not press his motion, lest it should be supposed that he had any wish to stifle the petitions of any persons approaching that House. The course he had pointed out was that which he thought would be most for the convenience of all parties, for he knew there would be ample time for the presentation of petitions.

Mr. Secretary *Peel* said, that perhaps it would be hardly fair, as the noble marquis was in possession of the House, to ask him to refrain from presenting the petitions; and as he had more to present, it would be as well that they should be received.

The Marquis of Chandos said, he would be the last man to take any unfair advantage, but he could not allow his right to present petitions to be interfered with. He would now present a petition from the Provost and Fellows of the Royal College of Eton, against concession to the Catholics.

Colonel Sibthorp presented a similar petition from a parish in Lincolnshire. He perfectly concurred in the prayer of it, and should feel it his duty to give the most determined resistance to the measure of Roman Catholic relief which had last night been propounded to the House. He trusted that the right hon. gentleman would not proceed further with his detestable bill [loud laughter], for it was calculated to sap the foundations of the constitution [a laugh]. Gentlemen might laugh, but he could assure them that he cared as little for their smiles as he did for their frowns, and should treat both with the most sovereign contempt. If they wished to know what he thought of their laughter, he would tell them, and it was this, "*risu inepto nulla res ineptior est.*"

Mr. Secretary Peel then moved, "That the order of the day for resuming the adjourned debate on the Roman Catholic Claims be now read."

Mr. C. Pallmer objected to the motion, and expressed his opinion that there could not possibly be any business to engage the attention of the House more important than the petitions of the people: while there remained one of those petitions unheard, he would divide the House against proceeding to any other business, even if he divided alone.

The House divided: Ayes 205. Noes 76.

MEASURE FOR THE REMOVAL OF ROMAN CATHOLIC DISABILITIES.] The order of the day for resuming the adjourned debate on the motion of Mr. Secretary Peel, "That the House resolve itself into a Committee of the whole House to consider of the Laws imposing Civil Disabilities on His Majesty's Roman Catholic Subjects," being read,

Mr. Charles Grant rose and addressed the House, but in a tone of voice which rendered him indistinctly heard in the gallery. He said, he felt extremely desirous of expressing his opinion with respect to the measure which his right hon. friend had introduced to the House yesterday evening; and, if the House would

allow him, he would advert, in the first place, to an observation which had been made by his hon. friend, the member for the University of Oxford, last night. His hon. friend had told the House, that the principles on which this measure was brought forward were now entirely changed: "Formerly," said he, "it was debated on the principle of right: now, it is urged on the principle of expediency alone." Now, as he had given a sincere but humble support to this question on former occasions, he came forward again to uphold the same great principles; and if he and those who thought with him did not rest the question upon the same grounds as formerly, it was not because they were less sensible of its paramount importance, but because it was surrounded by peculiar and additional circumstances, which had reference to the peculiar crisis in which the country was placed. As often as this question had been debated in that place by the great men who were then no more, they had rested it on the great principles of right, of policy, and of justice; but they had also represented it as a question of necessity—of necessity which was more or less remote, and which was questioned by some, and denied by many. But at present there existed a necessity no longer remote, but it was upon us, and about us, and around us, and pressing us upon every side. He did not think that he was taking an exaggerated view of the state of the country, when he expressed it to be his opinion, that that country was never in a more critical situation, than the one in which it was placed at the commencement of the present session. He had heard it denied, up to the last moment, that the necessity existed in the degree stated by the members of his majesty's government. But if he went no further, it would be sufficient for him to state one fact to expose the fallacy of such a denial; and that fact was, that at the time when the session commenced, there were six millions of persons in Ireland in such a state of irritation, that a single word from a single man might have given rise to a conflagration, which could not have been subdued without exposing the country to all the horrors of a civil war. He lamented that this should be the case, but he called on gentlemen who were connected with Ireland to say, whether he had not stated the case correctly. Look at the statements in the petitions which had come from the opponents of concession in

Ireland, and see whether they did not complain of a state of society existing there, as distressing to that country as it is disgraceful to this, of which it was considered a dependency. Nay, the facts which were nightly detailed to them by the members from Ireland, proved that the state of society in that country was convulsed to its very foundations. It was enough to give us proof of its condition, to advert to that great political power and authority which had recently risen up there, to that new dominion which pretended to control its affairs, to that *imperium in imperio*, which had absolutely protected the government, which had found itself unequal to control it. He alluded, of course, to that extraordinary phenomenon of modern times the Catholic Association, which had even succeeded in raising a revenue from an impoverished population, to accomplish its own political purposes. He did not stand forward as the eulogist of the Catholic Association. On the contrary, he censured many of its actions, and still more of its words; but it was idle to attempt to separate the Catholic Association from the people of Ireland—it was idle to speak of that Association as extrinsic from the people, and as merely connected with it by temporary excitements which would soon pass away. The truth was, that the Catholic Association was the people of Ireland, and that no coercion could be successfully exercised over a whole people who had resolved not to obey.

He could not help observing, that there was one circumstance connected at present with the Catholic question which struck him as new—up to the present time, it had always been said, that the question—namely, that of Catholic emancipation—however interesting it might be to a few of the higher classes of society, was utterly uninteresting to the great bulk of the population in Ireland. It was now clear, that the recent conduct of the people of Ireland had completely refuted that statement—to which by-the-bye, he had never given a moment's credit—for all classes had fully identified themselves with that very question. This was a fact that was palpable and notorious. It was said, however, by some, that their recent conduct was not to be ascribed to the interest excited by the Catholic question. If that were true, and due exertion had been used to quiet the excitement of the people—if it were also true, that government was re-

sponsible for the prosperity or misery of those whom it governed—then it must also be true, that the penal code, which government had supported, was the curse of Ireland; and so long as that penal code existed, so long would that curse remain in operation.

He should like to know on what grounds gentlemen on the other side justified further resistance to the claims of the Roman Catholics of Ireland to be admitted to the political privileges which were at present withheld from them. He believed the grounds were, that the religion of the Roman Catholics was incompatible with their loyalty to their sovereign. Now, these grounds were notoriously untenable; for ever since the system of concession to the Roman Catholics had commenced, every act of relaxation had been avowedly granted upon the ground that the Roman Catholics were loyal subjects; and yet, in the face of the recorded words of the legislature, honourable members now said, “we will refuse all further concessions to the Roman Catholics, because the professors of that religion cannot bear true allegiance to a Protestant sovereign;” thus insulting the religious feelings of their fellow-subjects, and giving a pretext for their own impolitic resolution, which they themselves knew to be false.

His hon. friend the member for the University of Oxford—and in alluding to that hon. member he did so with the greatest respect, both to his public and to his private character—his hon. friend had said last night, that we were not reduced to the alternative stated by his majesty's government of resorting either to concession or to coercion. And what was the argument which the hon. member had used in support of his position? He had said, that a united administration might be formed on the principle of permanent exclusion to the Roman Catholics; that it should obtain from parliament a strong measure for the coercion of Ireland; that it should rally round it the Protestants of that country; and that it should be prepared to support them by the presence of an English army. He had wished that the hon. baronet had followed the train of reasoning adopted on this very subject last night by his right hon. friend, the Secretary for the Home Department. He would not impair his right hon. friend's argument by a repetition of it; but he would ask the hon. baronet, in the first place, whether he

thought it possible for a united administration, formed upon the principle of which he had spoken, to obtain a strong measure of coercion—and to be effectual it must be a stronger measure of coercion than ever yet had been tried—from the House of Commons, as it was at present constituted. He would ask the hon. baronet, in the next place, if such an administration should be successful in obtaining such a measure, to tell him, what the situation of Ireland would be, after the government had rallied around it the Protestants of that country, and had made preparations to support them by the army of England, in order to avoid the horrors of a civil war? Did the House recollect what the hon. baronet had called the force which he would thus collect around the administration? Strange as it might appear, he had called it a “moral” force. He would next ask the hon. baronet, whether he conceived that the administration, after obtaining such a position, could remain in it for any length of time?—Whatever might be the power of the Protestants, and whatever might be the prowess of the British army—and no one could think more highly of the latter than he did, still he was of opinion, that five millions of Irish Catholics could not long be awed into submission, by such a force, under such grievances as they had to complain of. He believed that, in such circumstances, the same spirit would continue to influence them as had always influenced them in times past; and if it did, it could not fail to be productive of the most disastrous consequences. But perhaps his hon. friend supposed that it was impossible that a civil war should ever break out in Ireland? If such were his hon. friend’s opinion, he would venture to remind him, that thirty years ago the catastrophe which he considered so impossible actually occurred. He would not push to the extreme the advantage which he had gained over his hon. friend, and therefore he would not ask him, whether he did or not believe in the occurrence of that alleged impossibility? He would also ask his hon. friend, if he did not think, that the allegations of the right hon. secretary proved the existence of a necessity strong enough to warrant the government in making concessions, what allegations he would think sufficient to prove such a necessity, and what degree of necessity he would think sufficient to warrant any concessions? To what ex-

treme would his hon. friend drive the people of Ireland? For his own part, he thought that his right hon. friend had made out a sufficient necessity; for he was anxious to rescue the British empire from domestic convulsion, and to save it from the triple curse of a war, a civil war, and a civil war of religious feeling.

The right hon. member then spoke for some time in so low a key, that not a syllable which he uttered reached the gallery. When he was again audible he was speaking to this effect:—First of all, we were told that the necessity was not great, though the existing state of Ireland sufficiently refuted that assertion; next, that the laws affecting the Roman Catholics had not produced this position of affairs, though the very nature of things proved the very reverse: and then we were asked, “Who is it that has brought us into our present situation?” That, however, was not the question which ought to be asked. The proper question was, “How are we to get out of it?” He cared not who might be to blame for the errors which had been already committed; he would discard all feelings of indignation for the faults of the past: he would look forward with hope to the amendments of the future; and he would allow nothing to break the unity of his purpose, or to divert him from seeking to secure, so far as it rested on his humble efforts, the safety and integrity of the British empire. “My hon. friend,” continued Mr. Grant, “observes that the noble duke, who is now at the head of his majesty’s government, having been, from the habits of his life, accustomed to military command and military coercion, is not quite alive to the value of moral force, in the administration of political affairs. And it is curious to see the practical illustration which my hon. friend gives us of this observation. The duke of Wellington, accustomed to military command, when a crisis arrives, resorts not to the employment of power and coercion, but to the enactment of healing and conciliatory measures, to preserve the peace of a large empire; and my hon. friend not used to military command [hear, and a laugh], when the same crisis arrives, resorts to what he calls a system of moral force—that is, he appeals to the bayonets of the Protestants of Ireland, and promises to support them by the bayonets of the British army” [hear, hear].

"But," said his hon. friend, "this great measure is in violation of the principles of the Revolution in the year 1688." He deemed highly of—he had almost a mysterious reverence for—that Revolution, and for the great compact which accompanied it; but it had been well observed by his right hon. friend, the Secretary of State for the Colonies, in the able, and eloquent, and convincing speech which he had made last night, that he too looked for the British constitution in the Revolution, but not exclusively in the Revolution of 1688. He would tell the House, that the Bill of Rights recognized and justified the assertion of his right hon. friend; for the merit of the Revolution of 1688 was not that it gave to the people of England new rights and new liberties, which they had not previously possessed, but that it vindicated and asserted what the Bill of Rights itself denominated their "undoubted rights and liberties." But if, instead of taking the wise, and extended, and statesman-like view of his right hon. friend respecting the fundamental principles of the constitution, he should be desired to look at the public compact formed at the Revolution of 1688 for the foundation of our rights and liberties, he would be content to rest the merits of this question even upon such narrow grounds. Yes, he would defy the most diligent opponent of the Catholic claims to point out to him in the Bill of Rights* a single clause by which the exclusion of Roman Catholics from seats in parliament was declared to be either a fundamental or an indispensable principle of the British constitution. It was true that the Bill of Rights recorded the grievances committed against the liberties of the people by the preceding monarch; and the remedies provided to prevent a recurrence of them; and that it excluded from the throne any person who should refuse to take the Declaration which it contained, and who should profess the Popish religion. Such were the two distinctions drawn in the Bill of Rights, and whoever looked at that bill—not with the lynx-eye of suspicion, and with a view to discover in every line of it approbation of the principle of exclusion—would see that the indispensable articles of it related to the liberties so guaranteed to the people, and to the protection of the Throne from the intrusion of

Popery. All else was mere machinery: but the Declaration mentioned in the bill, and the protection of the throne from the occupancy of a Papist, were the perpetual and indispensable parts of the constitution. The Bill of Rights said, that the king shall "make, subscribe, and audibly repeat the Declaration mentioned in the statute made in the 30th year of the reign of Charles 2nd" and the allusion to that act showed that it came within the contemplation of those who were the authors and promoters of the Revolution. If, then, they had been of opinion, that the exclusion of Roman Catholics from seats in parliament was as indispensable as the Protestant character of the person who filled the throne, how did it happen, he asked, that there was no provision for the one, when there was an express provision for the other? It appeared to have been easy for them to say, that if the king shall hold communion with the church of Rome, or if he shall profess the Popish religion, or if he shall marry a Papist, he shall be excluded from the throne; and that in such cases the people are absolved of their allegiance: and it would have been just as easy, and, if they had entertained such an intention, it would have been almost impossible for them to have omitted saying so—it would have been just as easy, he repeated, to have added, that every Roman Catholic shall be prohibited from taking his seat in either House of Parliament, and that the consent of the king to his admission there shall also be considered as a just cause for absolving the subject from his allegiance. It had been stated that this was already the language of the Bill of Rights, but he denied it. It was only a comment on the bill—it was only a modern construction put upon it by interested individuals.

There were some persons, he understood, in the country, who contended, that whether Roman Catholics sat upon the throne, or whether they were allowed to take their seats in parliament, the constitution was equally violated in both cases, and the subject was dissolved from his allegiance. He should be loth to enter upon the perilous question of deciding when the subject's allegiance was dissolved; but if he did enter upon such a question, he would appeal to the words of the Bill of Rights itself; he would not take the gloss of those persons who called themselves Brunswickers; and who, at the very

* For a copy of THE BILL OF RIGHTS, see Parliamentary History, vol. v. p. 483.

moment that they were mooted questions regarding dissolved allegiance, inveighed with acrimonious bitterness against those whom they accused of holding a divided allegiance. If, then, the principle of exclusion could not be maintained in the authority of the words of the Bill of Rights, on what other grounds was it asserted, that it formed an indispensable part of the constitution? Was it consistent with the support and maintenance of the constitution? He thought he need not go the length of arguing, that it was not; for all the great authorities, from Bacon down to that of Burke, declared that the constitution did not rest on the principle of exclusion. If this were correct, on what temporary exigency was this principle introduced into it? The act of the 30th of Charles 2nd was the act which introduced it. He need not, he was sure, enter into the history of that act. It was passed at a period the most calamitous and disgraceful in the annals of the empire, and was connected with events which every honest lover of his country would wish to see erased from them, unless they could prove useful in giving statesmen a warning of what they ought to avoid. He rejoiced to see the bill for the repeal of these excluding laws at last submitted by government to the consideration of parliament. He could not express the delight with which he had listened to his right hon. friend, last night when he made the proposition for their repeal. The day of its introduction would form an epoch in our history,—it was a great day for this country,—it was a great day for Ireland,—it was a great day for his right honourable friend. He had proclaimed it in a spirit worthy of the great cause which he had espoused, of the great principles he had advocated, and of the healing measures it enforced. He rejoiced, because he saw in the great amelioration proposed to them, a liberal act introduced for liberal purposes, and in a spirit genial and kindred with its principle—he rejoiced, because he beheld an act of justice bestowed with all the generosity and grace of which it was susceptible. True it was, that there were one or two particulars of the measure which might in the details be open to some objections, and on which it was natural to expect different observations would be made. But when he looked at the main principle upon which it proceeded, and saw every thing in it which the most sanguine friend

of civil and religious liberty could anticipate, he could not easily bring himself to cavil at points of minor consideration. A noble lord had expressed his opinion that the securities which were interwoven with the proposed bill were worth nothing. To this objection he would reply—that the merit of the measure was, that it carried with it intrinsically its own essential merits; it sought for its efficacy no collateral aid; its great principle was, that it applied directly all the benefits of the measure with judgment and promptitude. To say, therefore, then, that the securities assigned to it were inadequate, was to say nothing, but to magnify the merit of a measure which, in its single quality, must effect all its beneficent intentions. To say, forsooth, that the passing of this bill would leave the Protestant constitution of this kingdom without securities, was to talk idly. Where were the securities which now existed, and which would remain after this bill should pass into a law? The securities upon which Protestantism had long rested, and where it might safely repose, were those which were to be found in the zeal of its professors, some of whom he regretted to see taking a course adverse to the present bill. He believed, however, that many of them opposed it from a sincere desire to vindicate the Protestant faith. As to security (said the right hon. gentleman), I find it in the very exertions made to resist the progress, or rather the introduction of this bill; I find it in the conscientious zeal displayed throughout the country to protect our national faith, and our episcopal church. I find it in the nobility of England—in the gentry and yeomanry of England, whom I see united heart and hand to resist the slightest encroachment of Catholicism. I find it in our clergy, in whom I, for one, place confidence; and I find it in the excellence of our establishment. If I could persuade myself, with the hon. member who spoke from under the gallery, that this measure would lessen the security of our episcopal establishment, instead of being eager to support it I should be among the first to resist it. I think the security of our church depends, not on such law-constructed barriers, but upon the soundness of its doctrines, the purity of its adherents, and the zeal, devotion, and energy of its sacred functionaries. Above all, it depends upon the confidence of the people, who find in their clergy an example of

those virtues which the Protestant religion is calculated to cherish, and, more than all, of that virtue which is the source and root of all others—charity. But do I look for securities in this country only? I look for them especially in Ireland, in the now united kingdom of Great Britain and Ireland. I look for it in the attachment of seven millions of fellow subjects. After a long night of injustice and oppression, they will now find themselves restored to their just place in society. They will be rescued by wise laws from the unjust domination of the priesthood, of whom our laws have hitherto made them by turns the tyrants and the slaves. I look for it in the reasonable and proper influence which will now be given to rank, property, the aristocracy, and education, in Ireland, and to the ameliorating spirit that will hereafter pervade all classes. Still more do I look for security from the great mass of the people, now for the first time open to the moral influence which is now agitating not only this country, but every part of Europe. Nor are these securities to be so lightly treated, when we reflect, that, after all, they are the very securities on which the British constitution rests. It is not founded upon the principle of exclusion—it was not framed for the benefit of one estate only, to the neglect or injury of others, but for the purpose of obtaining the combined force of the aggregate population; and upon that combination of interests mainly, the strength, spirit, essence, and perpetuity of the constitution depend. I confess I am most sanguine as to the results of this proposition, and I trust that my anticipations will not be disappointed. I trust that the measure will be received in this House with that disposition which has been already testified, and then I know how it will be received in the country. I hope and believe it will be received in Ireland in the same spirit in which it has been proposed by government. If I had any influence with that fine people, I should conjure them to reflect what the boon is—how long it has been in vain solicited, and in how generous, how noble a spirit this magnificent work of conciliation has been at length achieved. I hope and believe, that the day on which this bill shall obtain the royal assent will be for ever remembered in Ireland—that it will be remembered in their solemn meetings, and in their hours of conviviality,

not as the signal of disunion and discord, but as the pledge and rallying-point of tranquillity and obedience on the one hand, and of kindness and protection on the other

Mr. *Villiers Stuart* said, that he had already declared early in the session, that if the intended measure of the government were such a one as while it satisfied the Protestant feelings did not trench upon the conscientious scruples of the Catholics, it should have his cordial though humble support. He had heard the measure developed last night, in the speech of the right hon. gentleman, which divided itself into three branches: the first related to the great measure itself, the second to the securities which were to accompany it; and the third, to a subject totally foreign to the other two, upon which he should have a word to say hereafter. Regarding the great measure itself, the ground-work appeared to be so wisely, so largely, and liberally made, that it only remained for him to offer it his warmest approbation. Regarding the securities which were appended to it, no Catholic could object to them, nor any reasonable Protestant offer his dissent. With respect to the third measure, the disfranchisement of the 40s. freeholders, it had little or no connexion with the great measure itself. Upon it he confessed he entertained a strong opinion, and against it he should enter his protest, when the bill came regularly before the House; assuring the House at the same time, that he should make no factious opposition to the main principle of the bill, as nothing upon earth could induce him to endanger the safety of the great measure, by raising any protracted dispute upon the other. In regard to the general question, after the events of the past year—after the special admission of the government, that they would no longer undertake the responsibility of administering the affairs of the country, unless the Catholic question was permanently settled—he should not waste the time of the House by combating the prejudices, or dispelling the apprehensions, of those who now opposed the approach to peace and tranquillity, but would simply ask those gentlemen who were the advocates for the application of brute force to calm the anger of a long-suffering people, how long they meant their experiment to last. Were they so unwise as to wish to marshal the extreme prejudices of portions of the

people of England in mortal array against the passions of the great majority of the people of Ireland? Was this consolidation of deadly hatred, this storm and conflict of enraged passions, to be announced as the deliberate policy of the civilized government? In this state of things, it required little foresight to predict, that the result would be irreconcilable and unextinguishable national antipathies, and the exacerbation of all the bitter feelings which these sad laws had enkindled. In the mean time, what was to be the condition of the moderate Protestants of Ireland, whose property and lives must be equally exposed, in the progress of this heated and most impolitic civil contest? The wretched condition and suffering which had followed this cruel and unwise course of action, and was exhibited on the very surface of the country, had been well exposed by an able and eloquent writer, who said—"I set my foot upon their boundaries and said freedom is not here. I saw their naked hills, and still more stunted sterility. I saw the downcast visage of the people, their degraded aspect, and all the indelible traces of their abject and desperate poverty; their crowded and cheerless huts; and I saw in the countenances of man to man the furious vindictiveness of popular feeling. Then I said, this people cannot be free." He thanked God the time had at length arrived, when the Protestants of Ireland implored a change of these obnoxious and paralysing laws. They were surrounded by an almost exclusive Catholic population, and they felt that if something was not done, and that quickly, their hold upon the soil must not depend upon their identity in one common interest with their peasantry, but upon their capability of bringing to bear an anti-national power of coercive control by the means of England, to perpetuate all the pre-existing abuses, and add every species of inflammation to the already too heated mass. The Protestant landlords of Ireland, saw themselves brought into perpetual collision with their tenantry—they were looked upon as unwelcome strangers in their native land—as the oppressors rather than the protectors of the people on their estates. He would ask such gentlemen of England as opposed conciliation, how they would like to live among their own tenantry, surrounded by these elements of danger and combustion? If this system was per-

severed in, it could have only one result—they would awake from their delusion, and, in the consummation of their foolish project, behold their own ruin involved with that of the empire. What policy could be more fatally mistaken, than that of plunging sects of society into perpetual collision with each other? Look at the proof of these errors of government in the struggle of Greece when driven mad by Turkey. Look at the struggles between the black and white population of Kentucky and Virginia; where the free blacks formed one-sixth of the population. Why, then, persevere in this mad project of degradation, which, wherever it has been tried, has brought misery and desolation in its train? No matter under what emblem party spirit was kept up, whether between white and black, or orange and green, it signified nothing; for wherever man found he was degraded, whether on account of moral or physical causes, there he was sure to complain and resist. While, on the other hand, kindness produced affection. It operated like charity, as described by a great poet—

"It droppeth like the gentle rain from Heaven
Upon the place beneath: it is twice blessed—
It blesseth him that gives, and him that takes."

The question is simply this: shall we use this power to the weakness of the State; or by giving the Catholics a share in the blessings of the constitution, shall we add to our strength, and multiply our resources? Having tried the experiment of exclusion for so many years, and having notoriously experienced its failure, might it not be as well, in accordance with the proposition of ministers, to adopt the contrary system, and to ascertain whether it would not produce a contrary effect? But we were told that our experience was to go for nought—that, because our glorious constitution of 1688 excluded Roman Catholics, therefore they were to remain excluded. What, after all, constituted the security of the Protestant constitution in Church and State? Did it consist of acts of parliament, of public documents, of the rolls of 1668? No: it was derived from a population enthusiastically attached to the doctrines and tenets of the Church of England. This was the only charter of the Established Church. Then how, he should be glad to know, unless the admission of Roman Catholics to civil power was to have the miraculous effect of in-

stantly converting the Protestants to Catholicity, could that event endanger the stability of the Established Church? That church was safe as long, and no longer, than while the majority of the people were followers and supporters of it. Let the Protestants once change to Catholicity, to Presbyterianism, or to Mahometanism, and infallibly, despite the constitution of 1688, the pope would supplant the archbishop of Canterbury, or Synods or Mosques would supplant the Church. Then, what after all, was there in the proposition which was so to fright honourable members from their propriety as to induce them to believe that, by attempting to regulate this subject, on the recommendation of his majesty's ministers, we should shake the well-founded confidence now existing in the stability of the church? Our course was clear; let us not hesitate to pursue it. Let us pass a law which shall make the whole nation, Catholic as well as Protestant, rally as one man round the sovereign. Let us support the grand principle of civil and religious liberty. Once acted upon, that principle would tranquilize Ireland; place Great Britain upon a firmer footing than she had ever yet held, even in times of her brightest glory, and unite the inhabitants of the whole empire in peace, amity, and concord. With these views, and with this feeling, he needed hardly state with what eagerness he should afford his humble support to the measure about to be introduced; nor could he sit down without offering a just tribute to those ministers, who, regardless of personal considerations, have had the magnanimity to sacrifice the temporary popularity of party connexions, to establish the permanent tranquillity of the kingdom. There was a magnanimity in their last act, which entitled them to the public gratitude.

Mr. *Dickinson* said, that the right hon. Secretary for the Home Department had put the measure now under consideration on the ground that the House should make up its mind to concessions to the Roman Catholics, or to a civil war in Ireland. When this opinion fell from the right hon. Secretary, his opinions on the subject, he confessed, were somewhat shaken, but when he came to consider the proposition of the right hon. gentleman, he could not believe that it was well founded. He thought there was no reasonable apprehension of a rebellion in

Ireland. The property of the Roman Catholics had been constantly increasing in that country since the last rebellion: and it was well known that, in the year 1798, and for some years following, the priests could not collect their dues. It was their interest and the interest of the Roman Catholics of property, therefore, to keep Ireland out of rebellion now; so that he confessed he was a little incredulous when he was told, that they were to look for a civil war in Ireland. He was disposed to think that the proposed measure, like other half measures, would not have the effect of pleasing either party. The Roman Catholics would justly feel offended at the proposal made to disfranchise the forty-shilling freeholders. Where was the justice in telling the Roman Catholic aristocracy, that they might have seats in that House, and in the same breath telling the Roman Catholic freeholders that they should be disfranchised? In his opinion, it was by no means a measure of justice. It was a great mistake, he feared, to suppose that the Roman Catholics would be satisfied with the privilege of voting in that House. They would be for interfering with tithes, with church property, and with vestries; and if Roman Catholics were allowed to vote at vestries, what church in Ireland would ever be repaired? He had no doubt that, if the proposed measure passed, the Catholics would be for repealing the Tithe Commutation Act, the Sub-letting Act, the Vestry Act, and every other act which in any way had the effect of abridging Roman Catholic influence. Another Catholic Association, too, might arise under some new name, and issue its mandate to the Irish members to vote against ministers. If the proposed measure passed into a law, there was every probability that the Roman Catholics would continue quite as much dissatisfied as they now were, unless ulterior measures were conceded, the effect of which would be to give a predominance to the Roman Catholic Church. He therefore called on every independent member in the House to consider the effect of the proposed measure; and he put it to any man in that House, whether he thought that, if the Catholics were in power, they would extend to the Protestants the same degree of toleration which was extended to them.

Mr. *Liddell* and Mr. *Brougham* rose at the same time. The calls for Mr. *Brougham*

were loud and general; but the former honourable gentleman having first caught the Speaker's eye, proceeded to address the House.

Mr. *Liddell* assured the House, that he would not trespass on its patience at any length; but if the hon. and learned gentleman had spoken before him, he knew the difficulty he should have had in obtaining a hearing. He was anxious to express his approbation, and he might say admiration, of the measure about to be presented to the House by the right hon. Secretary for the Home Department. Every part of the proposed measure, with one exception, should have his warmest support, and the objection he entertained to that one part of the measure, had arisen from the information derived from the circumstance of his being one of the committee appointed to decide upon the Clare election. Much as he approved of the measure about to be introduced to the House, he approved still more of the manner in which it had been brought forward. He was particularly gratified last night with the animated and convincing reply of the right hon. and gallant general below him (sir George Murray) to the hon. member for the University of Oxford. It was an unusual and an interesting sight to see the right hon. and gallant general, connected with a profession which was improperly described as too much addicted to the application of brute force, reading a lesson of peace and conciliation to a learned civilian. The maxim, "*cedunt arma togæ*" was here reversed for the *toga* of the academic was, in this instance, used as a cloak for intolerance and prejudice, whilst the arms which the right hon. and gallant general wielded with so much effect against the enemies of his country, were changed for those of peace, brotherly love, and Christian charity. He considered that the opposition to this measure was most disgraceful. One of the most favourite arts was to overwhelm the House with petitions. He was inclined to pay every deference to the feelings of the people, through whose confidence he had obtained a seat in that House; but he did not hesitate to say, that there was a great deal of clamour mixed up with these petitions. Surely, when effigies of the Pope and "bloody Mary" were taken about to excite the feelings of the people, it could not be expected that there would be a fair expres-

sion of public feeling. In some cases, however, he conceived that it would comport more with the dignity of that House to lead than to follow public feeling, and this was precisely one of those cases. What lord Chatham had applied to America might be applied with equal force to Ireland. Lord Chatham said, that the Americans had been driven to madness by injustice, and then blamed for violence. If the system of violence had been pursued during some years past, he was convinced that the situation of Ireland would be much worse than it was at present. He had a confident expectation, however, that the measure about to be introduced, would prove the foundation-stone of the temple of Concord.

Mr. *Brougham* said, he would not occupy the attention of the House but for a very few minutes. He did not rise at that late period of discussion, to offer any answer to the thousand-times-refuted arguments—if they deserved the name—which were still reiterated against the settlement of this question; for that would be wholly useless. He rose merely to express his entire and unqualified approbation of the measure proposed by the right hon. Secretary. It went the full and entire length that any reasonable man ever did or ever could demand. It did equal justice to his majesty's Roman Catholic subjects. It put an end to all religious distinctions; it exterminated all civil disqualifications on account of religion. In its means of operation it was at once simple and efficacious: it clogged no exercise of civil or religious rights, and required no securities but such as the most zealous Catholic must readily admit to be of necessity part and parcel of such a comprehensive measure; so that it was altogether a bill which appeared to carry, as far as any measure of the legislature could do, a proclamation through the king's dominions, that religious discord shall be no more. He next came to the oath proposed to be taken by Roman Catholics on assuming office, or becoming members of parliament, which appeared to him to be exactly suitable, and entirely consistent, with the duties of persons taking office under such circumstances, but not so as it respected members of parliament. As far as the form was borrowed from that adopted in a similar measure—he alluded to the case of the declaration embodied in the bill for the repeal of the Test act—it seemed

perfectly applicable to the case of individuals accepting office, but it did not appear to be such a declaration as could consistently be taken by members of parliament. He thought that that and some other passages occurring in the oath to be taken by privy councillors, appeared to require further consideration, particularly in the negative part. Possibly, however, the objection would not be found to exist so strongly, when the matter was more carefully examined—possibly he himself, on further consideration, might see cause to change his opinion with respect to it; but on hearing the document read cursorily by the right hon. Secretary last night, he thought there was some difficulty, but he trusted that a more attentive consideration might show the apprehension to be groundless, or provide a remedy for the defect, if there existed any. Passing over that, he came to the other part of the measure; namely, the second bill which the right hon. gentleman proposed to introduce, and in which he intended to regulate the state of the elective franchise in Ireland. To one who, in 1825, had offered a decided and strenuous opposition to a measure of that description, it might well be considered that this, which, examined by itself, appeared a much larger measure, and one involving a greater and more sweeping disfranchisement, ought to be matter of grave and serious objection. He had opposed the measure for the disfranchisement of the forty-shilling freeholders in 1825; and he would not disguise it, that for his own part, to that measure he had all but an invincible repugnance. Had he even altered his opinion of the lesser and more moderate measure of 1825, the present, as he had already stated, was one which, taken separately, was of a nature still more obnoxious and more liable to objection. Even had he been one of those who supported that measure, he might with perfect consistency oppose this, which was one of a much larger, more sweeping, and retrospective character. But he looked not to these measures separately; he considered them as a whole. If the question was put to him, "Do you mean to vote for the disfranchisement of the forty-shilling freeholders?"—If this question was put to him separately, singly, and apart from all other considerations, as an abstract proposition to be weighed and determined on its own grounds, and on its own

grounds answered, his answer was at once and simply, "No." But that was not the question to be answered; for it rested on other grounds, and was a much more difficult and complex question; and if he was practically called on to say whether or not he should take upon himself the responsibility—even the smallest share of the awful and tremendous responsibility—of saying to Ireland, "Your last chance of tranquillity, good order, and safety is gone, from the adoption of these two measures which are inseparably connected"—from that responsibility—even from the smallest share of that responsibility—he honestly confessed he shrank; and he was not ashamed to confess that he did; for it was a responsibility that would not only appal the stoutest heart, but shake the soundest judgment. He therefore agreed to the disfranchisement as the price—as the high price—as the all but extravagant price—of this inestimable good; and not only an inestimable good, but a measure that had always been one of the highest expediency, the strictest justice, and which was now a measure of the most overwhelming necessity—that price, to obtain that good, he, for one, would most willingly pay [loud cheers].

Mr. *Fynes Clinton* owned, that his majesty's ministers had submitted to great sacrifices, in order to attain their object of introducing these measures of concession, from which they seemed so confidently to anticipate the tranquillity of Ireland. The first question to be considered was, were these measures likely to produce that effect? Would they establish tranquillity, allay religious animosities, put an end to the contention between the Protestant and Catholic Associations; or were they, on the contrary, likely to produce any other effect, than merely to change the subjects of dispute, and entail on that country struggles still more fierce and violent than those in which it was now engaged? In estimating the character of these measures which were said to lead to tranquillity, the House could not fail to be struck in the outset by the manner in which they had been brought forward by his majesty's ministers, and by the circumstances under which the concessions were to be made. They were brought forward as measures of necessity: they were represented, not as an act of grace, but as measures forced reluctantly from his majesty's ministers, by the course of events. He was far from

imputing to his majesty's government that they had acted under fear, in any disgraceful or dishonourable sense of the word; but it was not to be denied, that the measures had been rendered necessary by the bold and menacing attitude of the Catholic Association. That attitude, indeed, was so formidable, that many of his majesty's ministers had avowed, that though they still retained their former opinions, they thought those concessions were inevitable, and should be made from views of prudence, to secure more firmly the Protestant establishment. With their eyes still open to all the evils—the inevitable consequence of the concessions they were compelled to yield, even at the risk of throwing the country into alarm, and confusion — his majesty's ministers persevered with their measures. The right hon. member for the county of Inverness had last night congratulated the House and the country on the excellent prospects before them, and had described the measures as the most auspicious ever introduced into parliament. Now he could not possibly conceive any measures to be commenced under less happy auspices. They were, in fact, measures extorted by necessity, from a reluctant government. What promise did they afford that they would prove so essential to the future tranquillity of Ireland? Did it augur well for the peace of Ireland, that his majesty's ministers had yielded up their deliberately-adopted and long-cherished opinions, for the sake of purchasing what at best was a perilous and uncertain remedy for the existing evils? He would say, that the manner in which this measure had been brought forward afforded but an indifferent promise for the future tranquillity of Ireland, holding out as it did an invitation to the Catholics to attempt fresh struggles for the attainment of ulterior objects. He for one could not believe that these concessions, ample, and, he might almost say, unconditional, as they were, would satisfy all the desires of the Roman Catholics. They would not satisfy that important and powerful part of the Catholic body who exercised an unbounded influence over the rest, he meant the Catholic clergy. Nothing would satisfy them but the establishment of their own church on the ruins of our Protestant institutions. That must be their ultimate object, anxious as they were to advance their temporal interests, as well as their spiritual

power. It was not in human nature that they should have no wishes or interests for themselves. While they exercised a tremendous power over the people, it could not be expected that they would forego all hopes of exalting themselves, and cheerfully submit to exclusion from the wealth and honours of the Church, leaving them undisturbed in the possession of a clergy whom they regarded as heretical. If the Catholic priests were disposed to exert that influence now, was that disposition likely to be diminished by our yielding to them? Were they less likely to show their power then, than they did now through the Catholic Association which they governed and directed? What possible security could be had, that would compel the Catholic priesthood to forbear from exerting their power? We had none and could have none. Was parliament to rely on the moderation and temperance of the Catholic clergy? Surely that was not a security to serve as a foundation upon which to build well-grounded hopes of future tranquillity, by allaying religious animosities, blending together hostile sentiments, and producing that friendly union which the right hon. Secretary sought by these measures to establish. The right hon. member for the county of Inverness had congratulated the House and the country also, that these measures had been brought forward without any parliamentary or artificial securities; and the hon. and learned gentleman, who spoke lately, had certainly admitted that the securities were little better than nominal. He was glad to have the authority of both the hon. gentlemen to sanction the opinion he had formed, when he heard the speech of the right hon. Secretary; namely that this plan of safety contained no adequate security for the protection of the Established Church—that Church which his Majesty, in his gracious Speech, had recommended to their especial care and protection, and which we were enjoined, above all things, to uphold, and to enter into no measure in which the preservation of the Protestant Establishment was not the first and principal object. The offices of Lord Chancellor in England and Ireland, and Lord-lieutenant of Ireland, were not to be filled by Catholics; but the office of first Lord of the Treasury might be held by a Catholic, and all the rest of the cabinet might be Catholics. The Lord Chancellor had the disposal of the Crown patronage,

as to livings of the smallest income on the King's books. That office was not to be given to a Catholic; that patronage was not to fall into the hands of the Catholics; but then the first lord of the Treasury, who recommended to the Crown the persons who were to fill the highest stations in the Church, the bishops of the realm, might be a Catholic. There was a provision, he admitted, made by the right hon. Secretary, which certainly stated, that if any officer, other than the Lord Chancellor or Lord-lieutenant of Ireland, should happen to be a Catholic, his patronage should be transferred to a commission. He wished that this provision should be distinctly understood, for he owned he did not perfectly know whether it meant to include the whole patronage necessarily belonging to the office. For example, the Chancellor of the Duchy of Lancaster had the right of presentation to the livings in his jurisdiction, as being necessarily attached to the office. Was it meant that the first lord of the Treasury, whose duty it was, to recommend to the Crown the appointment of the bishops, should, if a Catholic, not himself appoint a clergyman? This exception of the patronage would, however, not prevent the first lord of the Treasury from recommending whom he pleased to the Crown, though it might prevent him, or the Chancellor of the Duchy of Lancaster, from using the patronage belonging to his office. He should be extremely happy to hear this provision explained; as at present he was not satisfied with respect to it. As to the securities, or exceptions he would rather call them, introduced by this bill, he thought they were quite sufficient as a badge or mark to distinguish the Catholics as an inferior sect, not worthy of being completely trusted, while the securities themselves were perfectly insufficient for any practical and efficacious purpose. If the bill were passed with these restrictions and exceptions incorporated with it, they would be admissions of the existence of ulterior dangers [cheers]. He repeated, they were admissions that the Catholics had still an object behind, which they wished to obtain, and which they inevitably would obtain, if parliament gave them sufficient power. Else why, he asked, when parliament granted almost all they desired, as it was said, were they not deemed worthy to be trusted without taking securities from them, and imposing exceptions and restrictions, which shewed that parliament

did not yet consider them worthy of confidence? He was happy to be confirmed in that view of the case by the right hon. Secretary for the Home Department, who had admitted that the Catholics had ulterior objects. That right hon. gentleman had stated most emphatically, that he had not changed his former opinions, but that he deemed it necessary to alter his course. He had also distinctly admitted, that the Catholics had ulterior objects, which they must wish and would attempt to accomplish. In the very able speech which the right hon. gentleman had delivered last night, he had put in this way:—"Let us grant these concessions; then let the struggle come; for I still think a struggle will come for ulterior objects" [cries of "no, no!"] He thought the right hon. gentleman had stated so much in substance, but not, perhaps, in those very words [cries of "no, no!"]. The right hon. gentleman had certainly reasoned in this way: "If we are to have another contest, let us first grant these concessions, that we may come to that contest with additional strength" [cheers]. He believed he had now fairly stated the right hon. gentleman's argument. He honestly confessed, that he did not quite understand this mode of reasoning. It did not seem to him the most wise and expedient course, when a contest was impending, to put additional power into the hands of those who were to struggle against us. In the course of these discussions, a great deal had been said as to the principles of the Revolution of 1688, and it was contended by some honourable gentlemen, that these measures would not break in upon that settlement. In the view he took, he could not regard the resolution in the same light as those hon. gentlemen. He did not regard it, as many of his friends did, that it had originated the British constitution. He looked upon it as the act which perfected and put the finishing stroke to that admirable constitution which had been preparing for ages. There was no provision, it was said, in the Bill of Rights, to exclude Catholics from parliament. But when he looked at what was passing, and at the opinion of our ancestors, it was impossible not to see that they did intend that parliament and the councils of the King should be of a character exclusively Protestant. The Catholics had been excluded from parliament before that time; but the great work was perfected at the Revolution, by excluding

Catholics from the throne. But his majesty's ministers, while they retained their opinions, said that the present danger was so urgent, that at all hazards, they were resolved to purchase a little present ease. They could not, forsooth, pass a bill to suppress the Catholic Association—they could not obtain the consent of parliament, they said, to such a measure unless they could obtain an agreement from parliament to pass a bill of Emancipation. They said, in effect, "We will make a compromise; we will grant concessions; and at the same time call on those who oppose them to agree to the suppression of the Association." He believed he had stated fairly, and in a few words, the foundation of what the right hon. gentleman had stated in the early part of the session. The question was, whether, in making this exchange or compromise, the objects on each side were of equal value? Did the people of England gain an equivalent for what they lost? In his view of the case—and when it was confirmed by the right hon. gentleman, that view must be correct—these measures would break in on the settlement made at the Revolution of 1688. The principles of that glorious event were not to be bartered away for any temporary purpose or expedient; but now it was proposed to abandon them, and in exchange his majesty's ministers gave parliament a bill for the suppression of the Catholic Association. The time was past for offering an opinion as to whether the measure for effecting that purpose was likely to be successful or not to the extent required and expected. That bill was merely a temporary act, and afforded a slight chance of accomplishing the pacification of Ireland. We were giving up that which should be permanent, and in return purchasing a mere chance of obtaining temporary tranquillity in Ireland. In fact, we were attacking the established church, without ensuring the permanent peace of that country. We were breaking in on the constitution of 1688 to purchase a short and precarious truce. He trusted that the spirit of the recommendation contained in the king's Speech at the opening of the session would be attended to by his majesty's ministers and others. That recommendation was to take into deliberate consideration the whole condition of Ireland; and he did hope that sufficient time would be allowed for these measures to be calmly,

fully, and deliberately, discussed within the walls of that and the other House of parliament, and that time would also be allowed for a full and free expression of the feelings and opinions of the people on those measures, which he would say were the most important ever laid before parliament since the accession of the House of Hanover to the throne of these realms.

Mr. North said:—The honourable member who has just sat down, began by stating his opinion, that the proposed measure would not restore the tranquillity of Ireland. To the speech of that hon. member I have listened with the greatest attention. While he was speaking I waited with the greatest anxiety to learn from him that proposal with which, from the general tenor of his observations, the hon. member might have been expected, as a matter of course, to conclude. I waited with the deepest anxiety which could be entertained to learn from that hon. member the nature of that complete and satisfactory measure, by which he would propose to establish the tranquillity of Ireland. I need hardly say, that the hon. member's speech arrived at a conclusion so lame and impotent, as, in that respect, to bring with it entire disappointment. The hon. member began by stating, that this measure of government was insufficient, as not creating complete and unexceptionable securities for preserving the established church from those ulterior assaults with which it was threatened. Allow me to say, that the hon. member has not put the argument with that fairness which candid discussion demands, and which ought always to govern the deliberations of parliament. The question is, not whether we have obtained any new securities by means of this measure, but whether we have parted with any securities which we formerly possessed. I trust it will not be imagined, that I am lukewarm in my attachment to the established church; I do not yield to any man in zeal for the established church; and least of all would I yield to any man in zeal for the prosperity and integrity of that portion of it which is established in Ireland. I am attached to it and to its members by the warmest feelings of our nature, by the earliest emotions that animate my breast, by close friendship, by gratitude, and by cordial affection. If I believed that, in making these concessions, we were parting with any real existing security, I would

sooner part with my right hand than give my support to any such measure. But can I believe that that which in Ireland is treated as the cause of undeserved humiliation on the one hand, and of unworthy superiority on the other, could long exist in a state of security? Can I believe that it is for the advantage of the established church, that it should be regarded as the cold, dark, and chilling obstacle, which interposed between the people and the beams of royal favour, which crosses every man in the road of industry and of honour—which is regarded as forming an insurmountable barrier to the advancement of every class among the Roman Catholics—which says to them, “You shall be excluded from the common blessings of society, you shall not be partakers of the common prosperity of that country whose common burthens you bear.” Is there not, then, an inconceivable increase of security given to the established church, by throwing down those barriers which have so long stood in the way of the Catholics, and pronouncing that the reformed church shall no longer be an object of popular detestation, hatred, hostility, and envy? Does it not impart security to the established church, to give content to those classes who feel religion as a necessity of their nature? Does it not give security to that establishment to inspire feelings of mutual confidence and regard, among all classes of his majesty’s subjects, be their religious persuasion what it may? I would ask the hon. member for the university of Oxford, and others who feel a strong regard for the established church, and that clergy, who not only teach and support our religion, but practise its precepts, to consider whether the present state of Ireland conduces to those religious feelings which they profess themselves anxious to maintain? The present state of Ireland, I can speak from my own actual observation, conduces to very different feelings and principles. It plucks out the heart of religion, which is charity; it sets man against man; it puts a canker into every heart; and, if it be long-continued, it will, I fear, put a dagger into every hand. Gracious God! is it for the interests of religion, and of that church which professes to be united in its spirit and feeling with religion, that men of high rank among the clergy should descend from their pulpits, and, mixing with the multitude, occupy the time that ought to be devoted to the sacred duties of

their profession, in inflaming the angry passions of the people, and familiarizing their minds with the horrors of a civil war? Is conduct such as this sanctioned by the tenets of the Christian religion, or necessary for maintaining the established church in Ireland? Can I believe that the tenets of that church are only to be maintained at the expense of public tranquillity? I may be allowed, as a native of that country, and after surveying the conduct of its people for a series of years, to say, without any feeling of prejudice, and with no feelings, I believe, of partiality—and certain I am, that, if any partiality does belong to my feelings and affections, it is for my Protestant rather than for my Roman Catholic countrymen—to tell the hon. gentleman, that it is not possible, if the situation of Ireland remains such as it has been for the last twenty years, that it can be compatible with the tranquillity of the people; and I will tell the hon. gentleman further, that I believe firmly, that if any people on the face of the globe could have been governed as Ireland has been, they would be as much dissatisfied as the Irish themselves. I trust there is no member in this House who believes that when my countrymen have obtained equal rights with the rest of their fellow-subjects, they will cease to be tranquil, become addicted to treason, and disposed to overturn the government, and the constitution which afford them protection and encouragement. As was so admirably and eloquently asked last night by the gallant general below me (sir G. Murray), is there any thing in the character of Irishmen, or in the climate of the country, which can indispose its inhabitants to the blessings of civilized society and the government of law? No, Sir, there is nothing in those circumstances which interposes an obstacle to the improvement of Ireland. That obstacle is only to be found in the law which the present measure proposes to abrogate; it is only to be found in that idolized ascendancy, which has been an object of such impious and superstitious worship in this country—that ascendancy which has excited the unspeakable odium that fills every Catholic breast; that ascendancy which has kept, and will keep Ireland in a state of discontent and agitation, until the present benevolent measure shall be carried into full effect. An outcry has been raised, that the constitution of 1688 will be broken in upon. What proof have we that that

constitution is not adapted to every conceivable change which society in this country may undergo, in all time to come? And, if there be no such proof, I hesitate not to say, that the time has arrived when it may, to the proposed extent at least, be broken in upon with safety to its remaining institutions, with justice to Ireland, and with advantage to the empire at large.

Let me, Sir, offer a few words of consolation to the hon. gentleman, as to the result of this question. Sir, I will ask any Irish gentleman, where Protestant ascendancy, about which they talk so much, has been to be found for the last fifteen years. Let them ask the merchant, whether it is to be found on the exchange—let them ask the lawyer whether it is to be found in the four courts—let them ask the country gentleman whether it is to be found on the hustings? I answer for them—no. The Protestant ascendancy, which those Protestant gentlemen worship so devoutly, is in fact a visionary being—without substance, impalpable, and of no account; it is like the ghost of one long since in the grave; or if it does exist, it exists only to distract the judgment, to deceive the heart, and to confound the imagination. But this is not all; along with it the same gentlemen are equally alarmed, because they believe that in concurring in this measure they would be conferring a gift: but I will tell them that the belief is as visionary as the Protestant ascendancy which is the object of their admiration. “What,” say they, “are we now to be called upon to confer honours and liberty on the Catholics, and at this crisis, when the king’s ministers have been subdued by their intimidation and their threats?” But though these gentlemen talk of giving power to the Catholics, I will tell them, that it is not in their power to make that gift; the Catholics of Ireland possess a power beyond theirs—a power independently of theirs—a power that, though we have not called it into existence, we may at least hope, with proper care, to regulate, since it does exist. In the course of the debate upon this question, there have been a good many allusions to what has been called “brute force,” and military power. Sir, I might follow up this allusion by telling the hon. gentleman who used the expression that the question is, whether we are to extinguish the brute but energetic power of the Catholic multitude of Ireland,

or whether we are to enlist it, with all its strength and all its magnitude, into the service of the state? I might tell him, that the question is, whether that force is to be turned, through despair, to unlawful purposes, or whether it is to be made to contribute to the prosperity and happiness of the whole empire. An hon. gentleman who has spoken this evening against the measure, has adverted to the bill which the legislature has just passed, for the purpose of putting down the Catholic Association. Now, Sir, I must beg leave to tell that hon. gentleman that there was no part of his speech which did not manifest the most entire ignorance of the actual condition of Ireland; and above all did the hon. gentleman display his ignorance when he spoke of this measure as the price paid for the putting down of the Catholic Association. Does that hon. gentleman think, in his ignorance, that the Catholic Association and agitation are the same, and may be used synonymously? I can tell the hon. gentleman this—the doors of the Catholic Association may be shut up—its orators, from the first to the last, may be silenced—but still the direst agitation may exist and flourish. Will they still let the tribunals of Ireland be open? If they will, then still will there be open a theatre for agitation. A father brings his action into court: it is for the seduction of his daughter—a circumstance wholly domestic, and apparently unconnected with anything public; but no sooner does it make its appearance, than it is taken up as a political case, and the streets of the capital are crowded with persons taking a feverish interest in the decision. An Irish magistrate summons a rioter, or a man for an assault, to appear before him: in his official capacity he either takes or refuses bail for his appearance; he may have decided right or wrong; but whichever way it may be, it occasions a discussion of the Catholic question. Is the hon. gentleman ignorant, that if his measure—his unexplained measure, I believe I must call it—should have the effect of shutting up the doors of the Catholic Association, it will still leave open the door of every Catholic chapel in Ireland. Does he believe that there is no popular priest ready to ascend the pulpit in such a cause, or that he will be listened to with the less attention, because he directs one hand towards the silent orators of the Association, while with the other he points to the altars of

their common faith, which are also the emblems of their common suffering. Sir, I tell the hon. gentleman, it is not the Catholic Association—it is not this man or that—upon whom the question depends. Destroy the individuals as often as you please, and others will as often spring up in their places; or if the Association itself be destroyed, other scenes of agitation will be opened. For these things there is but one remedy, one complete, all-sufficient remedy—and it is that which the wisdom and prudence of the government, and the gracious kindness and condescension of the sovereign have proposed. At length there are to be afforded to the Catholics of Ireland equal laws and equal privileges with the rest of his majesty's subjects. The Catholic Association will be extinguished when it is transferred to this House. Bring it here! Let us graft their wild and energetic shoots on our more mature and nurtured English stock, and rely upon it, of the fruit which it will produce you need not be ashamed.

In the course of this discussion there has been a phrase so inappropriately used, that it has given me a disgust towards a rallying word, which I never could have believed, would have been odious. Such, however, is now the case in my mind, owing to the application that has been made of it. I allude to "the constitution of 1688." Now, Sir, as a lawyer—as a person who has studied to some extent the history of my country—as a man who has examined what has been urged on all sides—I cannot be ignorant of the outline, at least, of what has taken place on this subject; but I must confess that I am at a loss to understand what the hon. members, who are so warmly opposed to the Catholic claims, mean by "the constitution of 1688." The great principles on which our constitution rests may be traced back for centuries previous to the Revolution of 1688; and, indeed, I may say that many of its features are as old as the common law itself. What, Sir—limited monarchy—right of petition—law of treason—impeachment of ministers—trial by jury—Habeas Corpus Act—am I to be told, that we date all these blessings from the period of the Revolution? No, Sir, in the year 1688, it is true that a great Revolution which established principles of great and vital importance, while it extinguished the absurd doctrine of an indefeasible

hereditary right of succession; in short, it established the absolute right of the legislature to provide, in every instance, and under all the varieties of circumstances, for the happiness, welfare, and security, of the nation. If I understand the subject at all, Sir, that is the right way to read the history of the Revolution of 1688; and I will, therefore, take the liberty of telling hon. gentlemen, if they be religionists, that they quote the Bill of Rights as the Devil quotes Scripture [a laugh]; or I will tell them, if they be lawyers, that they cite the case of the Revolution like a weak and ignorant judge who, startled by a precedent which he does not understand, makes use of it for the purpose of defeating justice and of violating the very principle from which it took its origin.

But, Sir, let me, now turn to another part of the subject. The hon. gentleman has made complaint of the surprise which has been practised on the nation, and he has implored time for the purpose of procuring further petitions from the country against the Catholic Claims, as if there were something premature in the measure that was now proposed. Sir, I have considered this objection in the best way I could, and I feel bound to protest, that a more unfounded complaint I never heard. Why, Sir, let us for a moment pause, to reckon what has been the nature of the progress of the measure. I ask, boldly, was there ever in this House a measure that went on from stage to stage, and from session to session, every now and then making new grounds on the reason and feelings of the parliament, and, I will say, on the reason and feelings of the country, giving every body an opportunity of watching its progress? Let me also request the House to remember, that the whole of this progress was continually marked by such particular events as ought to have prevented its escaping the memory of any man. In one year it happens—I am only just imagining that it might be so—that one gentleman who had heretofore been strenuous in his opposition to the measure, passes over to the other side and declares his strong conviction of the necessity of something being done in favour of the Catholics; in another year the division was changed from a majority against the Catholics to a majority in their favour—an event which one may well suppose could not have happened,

without being strongly impressed on the minds of those who thought that the majority had changed for the worse; and, last of all, let the House recollect what was the warning conveyed to it in the course of the last session, when that great measure for the relief of the Dissenters passed through parliament. If that was not a warning, Sir—if hon. gentlemen did not then see what the signs of the times were—I can only say, that they appear to me to be like that stiff-necked generation described in the Scriptures, that would not have believed, “even though one had risen from the dead.” In my opinion, Sir, the hon. gentlemen have had abundance of time; but, if they had had more, could they, I will ask, have acted with greater zeal or activity? Have they not established their Brunswick clubs in Ireland? Are they not as numerous as they are violent? Have they not approached nearer to the confines of sedition and tumult, than any other body or collection of men [cheering]? Will they then now tell us, that they have had no warning of the proposal of this measure? At least I think that if they wanted any further, they might have obtained it from a survey of their own condition. It seems to me, that the well-known story of Mrs. Thrale, about the Three Warnings is very applicable to the opponents of the Catholic claims just now. The House of course knows that, in the story to which I have just alluded, old Dobson complains, that Death has no business with him, because he has not received the three warnings that had been promised him, quite forgetting that at that very moment he was without the use of his limbs, had lost his sight, and was as deaf as a post. So it is with these hon. gentlemen. Here they are complaining that they have had no warning; but I assure them, that the case of old Dobson is very much in point, and that they are so like old men, that they must depart without any further warning [a laugh].

Sir, I feel that I should not be discharging my duty as a member of this House—I feel that I should not be acting as a friend of Ireland, which I am most sincerely—if, before I conclude, I did not return my warmest thanks to the right hon. gentleman who has introduced this measure; and I take the greatest honour to myself, in greeting him not only as the friend of my country, but as my own. I do not intend to dwell upon the sacrifices

which the right hon. gentleman has made in undertaking to bring forward this measure; but there is one topic connected with the course which my right hon. friend has taken which has not been touched upon, and which is, therefore, still left open for me. I allude, Sir, to the great reward which is still in store for my right hon. friend, and which will more than repay him for all the sacrifices which he has made for this greatest of questions—for can a greater be imagined than that of Catholic emancipation? I would speak of the period, after a few years shall have passed by, when my right hon. friend shall turn his pleased but anxious eye towards Ireland—when he shall behold tranquillity restored to her—industry excited—knowledge diffused, and the moral tone of society elevated and improved: then will it be that my right hon. friend will experience feelings which he would not exchange for anything which the Crown or the people have within their gift—it will be then that he will say that his reward is greater even than the sacrifices which he made to obtain it. And, Sir, if I may be allowed to turn from my right hon. friend to the noble duke at the head of his majesty’s government, I would say of him, that it appears to me that he has achieved a greater conquest, by the wisdom and policy which he has exercised in bringing forward this measure, than by anything he ever consummated by his valour and military skill in the field, he has secured by it the affections of a great, loyal, ardent, and devoted people. As to the measure itself, need I say that I look upon it as calculated to confirm and establish all our great national interests? I believe that it will give security to the government and to the state, and afford satisfaction, as the means of protecting the institutions of the country: it will be the means of completing the imperfect measure of the Union of this country with Ireland; and, if I may be allowed to use the expression, it is inserting the key-stone into the great arch of the policy and safety of the empire. Nay, Sir, it will do more than this—it will still the voice of faction—it will extinguish the seeds of rebellion—and, should foreign envy entertain any lurking hope of witnessing, through this medium, the downfall of British greatness, it will be utterly destroyed.

The Earl of *Uxbridge* said, he would apologize for his intrusion upon the atten-

tion of the House, but that he thought it the duty of every member to express his sentiments upon this most vital question. He had expected, in the course of the four hours' speech which he had heard last night, that some explanation would have been given of the causes which led to the conversion of the right hon. gentleman. He had, however, expected in vain, for no such explanation had been given. There were many hon. members who had declared that they would wait for the right hon. gentleman's explanation, before they determined on which side they would vote. Now, as no explanation had been given, he trusted the votes of those hon. waiters would be given against any further concessions to the Catholics. He much regretted that when the right hon. gentleman found he could not, as a responsible adviser of the Crown, any longer oppose concession to the Roman Catholics, he had not determined upon continuing to do so in his private capacity. The right hon. gentleman would not consent to form part of an administration of which Mr. Canning was to be the head, because he feared that that right hon. gentleman's influence would preponderate in favour of concession; but now, when there was not merely a probable chance of a minister influencing the decision of the Catholic question, but a minister had absolutely proposed to carry it, the right hon. gentleman continued in office. Unless the House had some explanation upon these points, he should certainly give the measure his most decided opposition.

Sir *Hussey Vivian* said, he was desirous of stating to the House the grounds on which he had formerly opposed the Catholic claims, and was now of opinion that those claims ought to be granted. All those who best knew him—his hon. friends in that House, and his constituents who had placed him in that House—would bear him out in the assertion, that it had always been with the greatest reluctance that he had voted against the Roman Catholics, not only because it gave him pain to place any disabilities on so large a body of his majesty's subjects, but because, as a soldier, he had had many opportunities of witnessing the conduct of those Roman Catholics who had joined the army, and knew the prodigality with which they had always been ready to shed their blood in the defence of their country. For these reasons, it

was with reluctance that he had voted heretofore against the concession of their claims; but having early been taught to believe, that the duty of the Catholics obliged them to endeavour to establish the supremacy of their own religion, and that the Protestant establishments of this country were leagued with the best interests of the nation, he had been unwilling to consent to their admission into power, more especially as he was aware, that it had been openly stated in the Catholic Association, that emancipation was not all they looked to, but that, when that was conceded, it would be followed up with ulterior measures. If Catholic emancipation was all that had been required, he did not hesitate to say that he should have voted for it at a former period; but when ulterior objects were talked of—when the Catholics openly declared that it was their purpose to endeavour to do away with tithes, and what they called the “horrible” Union of Ireland with this country, he had certainly objected to give them any power which might enable them to forward such views. It was now, however, impossible not to see that the time was come, when it was necessary to do something. The hon. member for Aldborough had talked about fear and intimidation; but he would venture to assert, that no such feeling had had any weight with his majesty's ministers in the adoption of the present measure. If the hon. gentleman, by fear, meant concession being demanded at the point of the bayonet, his answer was—that not ten thousand bayonets should have wrested it from him; but if he meant a fear to witness the unhappy state of Ireland that must follow upon rebellion, he was ready as a man, and still more as a Christian, to admit that he did feel that fear [hear hear!]. The noble lord who had just spoken had said, that in his opinion, the right hon. secretary of state had given no reasons for a change of opinion. What! did the state of Ireland afford no reason? Did the poverty and misery of the people of that country afford no reason? Did the state of excitation that pervaded the whole island afford no reason? But all this they were told was nothing, and they were referred to the occurrences of 1798, to show that it was only necessary to put forth the strength of England to put down rebellion in Ireland. But, in answer to that he would ask, was there any man

who referred to the events of 1798 with feelings of satisfaction? Let them look to the dreadful loss of life that took place at that period! Besides which, had not the Catholic question gained ground since then? Hon. gentlemen might exclaim, that it was only necessary for England to put forth her arm to crush opposition; but he would answer them in the words of their immortal bard:—

“‘Tis excellent to have a giant's strength,
But tyrannous to use it like a giant.”

Under the circumstances, he could not but feel that the Catholics were entitled to their rights, and he thought that the securities which had been proposed were quite sufficient for the protection of the Protestant constitution, of which no one was a warmer supporter, or would go further to protect them than himself. These were his reasons for voting in their favour; and in doing so he was uninfluenced by any party feeling whatever; he gave the Catholics their claims from the assurance that he felt that it was the best thing could be done for the benefit of the country at large; and he trusted that the boon would be received as cheerfully as it was offered; as he was sure it would tend to the strength of the empire, and to the prosperity and happiness of Ireland; while, if they should ever be, unhappily, obliged to have recourse to the last of reasons, they would at least have the satisfaction of laying their hands on their hearts, with the assurance, that they had done all that was within their power [hear, hear!].

The Marquis of Blandford said, he admired the capacity which enabled the hon. gentleman who had just sat down to follow in the wake of the right hon. secretary; but for his part, he had always observed, that national calamity followed the introduction of Catholics to political power in a Protestant community; and therefore he looked upon the present measure as a most mischievous one indeed, seeing that the people of this country were not only denied all security for the Protestant constitution by those whom the people had delegated with that trust, they had not only been denied all security, but no opportunity had been given to them, to ascertain whether the measure proposed by his majesty's ministers was a good measure—whether it might be deemed a measure of expediency—and whether it had with it the voice of England. He had no intention of undervaluing those honourable

members of the House, who held opinions opposite to his, nor would he willingly offend the feelings of any of his majesty's ministers; but he confessed he was wholly unable to look upon the question in the light in which it was viewed by them. For many years there had been a party in that House, and a strong party it had been, and strong views knit them together, and they had now the happiness to receive many contributors towards the support of their darling child. He would ask, then, was it credible, was it reasonable, that a body of men should thus anticipate the public feeling? Although in another place extreme sensibility had been expressed at the idea that the ministers had acted under a false and too hastily-formed impression; and although it had been said, that that House was a criterion to judge of the public mind, he confessed that, unfettered and disinterested as were the members of that House—formed as it was at a time when public feeling was not so much agitated, when public confidence was great—he could not consider it any criterion to judge of the feeling of the country as it now was. The state of the representation was, he was aware, a delicate subject. Some gentlemen there were of sensibility so morbid, that the bare suggestion of the House not being the entire organ of the people, gave them offence. He would not enter the list upon the whole subject; but he would state, without hesitation, that a House of Commons which was not faithful to the exclusive principle of a Protestant king and Protestant parliament, was calculated to give due cause of alarm to the people. He challenged any hon. member to stand up to deny that there existed a general repugnance to breaking in upon the constitution, without calling upon the people. One word before he sat down upon the subject of the changes of opinion which had taken place in those who were formerly devoted to Protestant principles. It had been observed with some force, by a popular writer of the day, that there was no greater inconsistency in abandoning opinions, when they could no longer be supported without danger to those interests which the parties were pledged to preserve, than there was in a general of an army retreating before an enemy, when that enemy was so much stronger than himself, that all opposition would be useless. Now, he admitted this principle to its full extent. But to whom did they owe that strength

which the enemy had obtained, and which forced even the right hon. gentleman to declare, that he was compelled to adopt a course different from that which he had uniformly pursued, and in opposition to those principles which he admitted he still retained? Why, they owed it to the weakness and vacillation of the government itself. Language failed him when he attempted to find expressions of condemnation for the feeling which had engendered such a state of things as left that House nothing but the miserable alternative of choosing between the evils of rebellion and civil war, or bowing with abject submission to the threats or the demands of Jesuits and of Jacobins. For his part, he could only implore the members of that House to consider well what they were about to do, and to pause before they allowed themselves, under an intimidation which a wise and energetic government ought not to have borne even for an hour, to consent to a series of measures which might endanger the safety of all.

Mr. *Estcourt* said, he wished to defend himself from the imputation which the speech of the right hon. Secretary was calculated to cast upon him, in that passage which referred to his silence upon the subject of the Catholic claims. He had always considered the powers of the right hon. gentleman, his then colleague, to be so much beyond his own in the advocacy of the rights of the Established Church, that he rested his hopes upon that right hon. gentleman's exertions, and refrained from obtruding his opinions upon the House. His opinions, however, were not the less firmly fixed against the propriety or policy of concession, and he had invariably opposed such concession, to the utmost extent of his power. But as that right hon. gentleman was now the advocate of very opposite opinions, he felt it to be his duty to state the reason why he could not consent to give a vote different from that which he had invariably given. In the first place, he objected to the argument of his right hon. friend that the present parliament was qualified to settle the Catholic question; for that parliament had been elected in 1826, when the affairs of the country were under the guidance of that vigilant protector of the Protestant cause, the late lord Liverpool. There was not then the same anxiety about the Catholic question, for the country had confidence in that illustrious statesman,

and in the right hon. Home-Secretary himself. It was therefore, in his mind, incumbent on ministers, it was consistent with propriety, to have taken the sense of the country, by calling a new House of Commons, before they ventured to submit so extraordinary a measure as that of admitting Catholics to parliament and to the offices of the state, with a view of obtaining for that measure the sanction of the legislature. He was an humble, and, if honourable gentlemen' opposite would have it, an ignorant member of that House; but he would still express his opinions, and ask, whether the purposes for which the constitution of 1688, the date of the civil and religious liberties of England, was framed, were compatible with the measure which the House was now called upon to sanction? He asked, was not that constitution framed for a specific purpose; namely, the driving out of a Popish king and the abolishing of Popish counsels? If so, and that it was so, the preamble of the Bill of Rights and the whole tenour of the Act of Settlement were proofs, he asked, why was not the conduct pursued in 1688, when the constitution was founded, imitated when it was designed to alter that constitution? In 1688, the sense of the country was taken by calling the Convention Parliament before the constitution was established. At present, it was not too much, he thought, to ask why the sense of the country should not also be taken, when that constitution was about to be invaded. He was the more anxious that the feelings of the people towards the Catholic question should be faithfully represented, because he had heard of no security for the preservation of the established church, and for the upholding of Protestant ascendancy, though he must confess he did expect such security from the right hon. Home-Secretary, and the hon. and learned Solicitor-general, who was understood to have assisted the right hon. gentleman, in the framing of his present measure. He confessed he thought the Protestant Ascendancy would be endangered by the admission of Catholics to civil immunities, without more securities than the intended bill afforded, and therefore he could not agree to that bill. Indeed he had heard proofs of the danger of concession to the Catholics to the Protestant Ascendancy established at the Revolution, in a speech made by the eloquent, honourable, and learned member for Colchester, in

which the hon. and learned gentleman had acknowledged, that he approved of concession to the Catholics, because he considered that concession would open the prospect of a reduction of the emoluments of the established church. It was true that the advocates of the Catholic question, and indeed every man in that House, professed strong attachment to the church of England, and an earnest anxiety to preserve its rights, but nevertheless it appeared to him, that the clergy of that church were justified in resisting every measure that tended to encroach upon their properties.

Sir *Thomas Lethbridge* promised, at that late hour of the evening, not to detain the House by many observations. He felt anxious, however, to justify himself to the country, and to those with whom he had acted, for now taking a course opposite to that which he had on former occasions pursued. He felt bound, indeed, to give his reasons for that departure; and he hoped the House would grant him its indulgence, while he stated the motives which actuated his mind, in adopting the course he now took. He confessed he could not deviate from that course, or desert the friends with whom he had so long acted in reference to the Catholic claims, without considerable pain; but he had a paramount duty to perform, not only to his constituents, but to all the people of this great empire, which no taunts, no difficulties, no dangers, no feelings of the extent of his responsibility, should deter him from performing. He begged to remind the House, that he had never said a moment might not come [hear, hear!]. He repeated, he had always said a time might arrive, when it would become the duty of the three estates which composed the government to take the question of the claims of the Catholics into their serious consideration, for the purpose of devising some means of final settlement. It was his conviction that the time was now arrived, that the moment was come, when it became his duty to support the government; because he saw no other way by which they could hope to relieve themselves from the difficulties of their present situation. Without making some attempt to settle this great and long-pending question, in the way the government now proposed, he was satisfied they could not arrive at any termination of their present difficulties. If he feigned that the

question would by that settlement be set at rest for ever, or if he pretended, that he did not labour under some apprehensions of danger, he should do that which was foreign to his feelings; but he believed that they were reduced to a situation in which they had merely a choice of difficulties, and under that belief he was disposed to try the effect, and run the risk, of those expedients which his majesty's government now proposed. He believed—and he spoke conscientiously—that there was an altered feeling throughout the country upon this question. He had long been acquainted with the opinions of the people upon this subject. He had watched and studied those opinions. He believed, and indeed he knew them to be altered, and in the face of a majority of even his own constituents, he was prepared to contend, that the question of concession to the Catholics ought to be settled. Any member of that House, who attentively read the petitions upon their table, even from the West of England, would perceive, that they displayed a disposition to see the question finally settled. Let them look at the language of those petitions. Formerly, the petitions called upon that House to refuse all concession unconditionally; but now they would find the language of those petitions very different, and that they merely refused emancipation unless accompanied with securities. It was said, however, that the present proposition contained no securities for the preservation of the Protestant constitution, or the integrity of the established church. Upon that point he was at issue. He had heard the arguments and the reasons of the right hon. Secretary, and he was astonished that any man should say there were no securities provided, in the plan now before them. Those arguments and those reasons were not, perhaps such as would convince the noble lord (Blandford), and the hon. member for Oxford (Mr. Estcourt); but they seemed to him to be perfectly satisfactory, even to the strongest advocate for Protestant ascendancy. They were told, by the hon. member for Oxford, that the establishment was in danger; but he had no fears from that danger, so long as the reins of government remained in the hands of the noble duke, and the right hon. gentleman, who were, he was convinced, as true friends to the established church, as the most sanguine could desire. They had, however, other means for

the security of the Protestant Church, if these their devoted friends should fail them. They had means of security, both within those walls and without them; because, the members of that House, and the people at large, would be ever watchful, and ever determined, to preserve their liberties and their religion, and to take care that neither their Protestant constitution, nor their Protestant creed, should ever be impugned, either by powerful and open enemies, or by insidious friends. It was under these circumstances that he felt disposed to place confidence in his majesty's government, and to give support to the measure introduced by them,—a measure which would enable them to restore peace to the united kingdom and secure the Protestant establishment inviolate.

Colonel *Sibthorpe* said, he would not commence by apologising, as did the hon. member who had last spoken, for rising, as he felt it was his duty to do, and to declare that the Protestant constitution was in danger. He deemed no apology necessary for offering himself to the notice of the House. After the observations that had fallen from that hon. member respecting the momentous question they were met to discuss, he could not but express himself decidedly adverse to the course adopted by ministers. He stood forward to oppose any measure of concession to the Roman Catholics, and in this opposition he was forced to stand against many hon. members for whom he entertained the highest sentiments of respect, and with many of whom he had formed a private friendship. He stood forward in defence of the church and state, and of the glorious constitution, as established in 1688. In the proposal for removing the Roman Catholic disabilities, as they had been called, he expected to have heard something in the form of security to the Protestant constitution; but in that expectation he had been miserably disappointed. He could not help saying that the king's ministers had acted an ungrateful part: they had abused the confidence placed in them: the people of England could no longer confide in such a government. Some securities had indeed, been talked of, but where were they? He would ask the present administration, could they adopt no other course for the pacification and happiness of Ireland? He could not help viewing the conduct of ministers as a political apostacy that disgraced them.

Some security had been talked of. And in what did that security consist? Was there any security, he would ask, in the wearing of a particular insignia, on particular occasions, and laying aside that insignia on particular occasions? They had talked of a security in disfranchising the forty-shilling freeholders—in raising the franchise to ten pounds. He would ask the movers of this proposition, what security was to be found in it? He saw no cause for the adoption of such a measure as that which went under the name of Catholic Emancipation. On the other hand, he saw nothing to secure the Protestant establishment of the country. He called upon the right hon. gentleman to pause, ere he produced a radical change in the constitution of the country. If the measure now in contemplation should be carried into a law, there was no knowing where the evil would end; and he again entreated the right hon. gentleman to pause, and listen to the advice from that side of the House. He had recently seen such and so many changes in that House, that he actually did not know where his friends sat; and his curiosity to know where they had taken their places had been more strongly excited since the recent declaration of an honourable baronet, who had so long and so strenuously been opposed to Catholic emancipation, but who now as strenuously supported it. Such changes as he had lately witnessed could only be compared to those of the camelion; such marches and such counter-marches as the country had witnessed, it could not be expected that England would bear, at least he could tell the right hon. gentleman that the county would not bear them. For his own part, he was one who had ever been and ever would be consistent in his political conduct. No inducement whatever should tempt him to swerve from the path which he believed to be that of duty. He trusted if the right hon. gentleman was determined to carry this measure, that he would not, at all events, seek to prevent the free ingress of petitions to that House. He hoped that no check would be put to the open and honest declaration of the people of England, but that, from the substantial farmer to the lowest labourer, their sentiments might find their way into parliament. He had now discharged a duty which he owed to himself, to his constituents, and to his country, in giving his most strenuous opposition to the proposed

measure; and he would take every opportunity of entering his solemn protest against it—against a measure which was about to be forced upon the country, much after the fashion in which the empiric's ball was forced down a horse's throat.

Sir J. Newport said, that after a long life devoted to the advocacy of Catholic emancipation, and after having spent many years in watching the state of society in Ireland, upon which he believed he possessed opportunities of obtaining more accurate information than most members in that House, he trusted he should be allowed to express, as briefly as he could, his sentiments on the present occasion. He felt convinced that, in the present condition of Ireland, in regard to this great question, it was perfectly impossible that the existing state of things could last. He was perfectly satisfied that such a state of things could never continue with safety to the empire, or security to the subject. He had heard some hon. gentlemen call for protection, and for security for the established church, and much had been said about the proposed measure being an inroad on the constitution, as settled in 1688. Now, it was rather strange that amongst the loudest advocates of the constitution of 1688, upon this occasion, were found men who represented places that, for a century past had been arrayed in direct hostility to every leading principle of that constitution. He believed he was as sincere an admirer of that constitution as any of those hon. gentlemen; and he would contend, that one of the first and leading principles of the constitution of 1688 was, to confer upon every British subject the inestimable benefit of the trial by jury. He would ask any man whether the constitution could possibly afford to the people of Ireland that great blessing, under the existing posture of affairs in that country. It was absolutely impossible that such protection could be obtained by that people, amidst the factious feelings and the violent prejudices which at present pervaded Ireland; and nothing but an equalization of civil rights and privileges could ever render it accessible to them. The principal object which he had in rising, was to express his heartfelt and cordial thanks to the government for the unanimity which they had manifested on this great question, and for having at length brought it forward recom-

mended from the throne, and upon the ground of perfect conciliation—upon the only ground that it could be satisfactorily and permanently settled. Honourable gentlemen asked for securities. Now the security which he would give, was the measure itself. It would place all the subjects of the empire on one footing, and under one common banner—it would make them all equally ready and determined, heart and hand, to defend that constitution, in the benefits of which they all equally participated. That was the grand security which this measure would give; while, by continuing the present state of things, they robbed the empire of half its strength—they paralyzed the energies and resources of the country—they left England at the mercy of any foreign enemy that might choose to quarrel with her—and they deprived the constitution of the best security which it could possess—the affections and the support of all classes throughout the country. That security the measure which was now about to be carried would completely afford. With regard to the first measure which the right hon. gentleman would propose, he must say that every reasonable Catholic ought to be satisfied with it. If he were asked, what he thought of the second branch of the measure—that which referred to the elective franchise in Ireland—his answer was, that he conceived it was making a sacrifice of a great principle, in order to obtain a great and permanent good—in order to obtain from parliament a measure pregnant with the most beneficial consequences to his country—a measure, without which that country could not prosper; and that he was, under all circumstances, ready—reluctantly indeed, when he considered the subject abstractedly—but willingly, when he looked to the happy consequences which the general measure of relief would afford to the country at large—to make the sacrifice demanded [hear, hear]. He cared not for the obloquy which might attach to him out of doors for making this declaration. He had lived too long in the world not to know, that the first principle which ought to actuate every public man was, to be satisfied in his own conscience, that his conduct was solely influenced by his sense of public duty. It was upon such grounds that he was ready to make this sacrifice; and it was upon such grounds alone he was convinced the right hon. Secretary

opposite had brought forward this great question, and in so doing had exposed himself to so much unmerited and unjustifiable calumny. With regard to the speech of the hon. member who had spoken last, it did not require any answer. That hon. member had throughout directed his arguments *ad personam*, and not *ad rem*. The hon. member had not argued the question upon grounds to which any man of sense could address himself; he had argued it solely on the grounds of inconsistency in reference to the right hon. Secretary and other members of his majesty's government. Now, it really did appear to him utterly inconceivable, how public men were to watch over the public safety of the realm, if they did not consult it in the measures which they adopted. The man who should adopt a different principle in the guidance of his public conduct would be utterly unfit to administer the affairs of this or any other country. The right hon. gentleman opposite had therefore but acted the part of a wise and prudent statesman, when, looking to the interests of the country in the first instance, and considering every thing else as secondary to their maintenance and preservation, he had, in pursuance of his sense of public duty, brought this measure under the consideration of parliament. For himself, he was ready to support that measure as it stood, even at the expense of a great sacrifice, in order to obtain a great public good, and to secure the prosperity and happiness of his native country.

Mr. *Huskisson* said, that although he was perfectly satisfied with the state in which the question at present stood, and with the hands to which it was intrusted, and though he was unwilling to trespass on the House after all the discussions to which this question had been subjected, yet he hoped that the House would bear with him for a few moments on the present occasion. He had risen principally with a view to notice something that had fallen last evening from the hon. member for Dorsetshire. But before he proceeded to that, he could not forbear noticing an argument, as he understood it, which had been introduced by the hon. member for the University of Oxford (Mr. *Estcourt*), which appeared to him so very extraordinary, that he supposed he must have mis-conceived that hon. member. If he did, it was but justice to afford that hon. member an opportunity of correcting the mis-

take which he, and probably the House, laboured under; and if he did not misunderstand that hon. member, he must acknowledge that it appeared to him to be the most extraordinary position ever advanced in parliament. That hon. member had referred to the Revolution of 1688, and, speaking of the measure now under the consideration of the House of Commons—a measure which at the commencement of a session to which they had been regularly summoned by the Crown, in the opening speech from the Crown had been recommended to their consideration—the hon. member, in speaking of that measure, seemed to think that it was a question unfit for discussion in a parliament so constituted, so called together and assembled for that direct purpose under the declared authority of the Crown; and the hon. member argued, that a convention, as in 1688, should be specially assembled for the consideration of this question. But was the situation of the country in 1688 similar to the circumstances by which they were now surrounded? What was the first act of the Convention of 1688? To declare the Throne abdicated and vacant. Was that a state of things in any respect parallel to the present? Certainly not; and he must, therefore, protest against the extraordinary position of the hon. member, and assert that the present parliament was competent and fit for the consideration of every measure of foreign and domestic policy—fit for the deliberation and decision upon every topic touching the national interests—fit, especially, for the due weighing and judging of the important measure graciously recommended by the sovereign to its calm and temperate consideration. Having listened with the most intense interest to the speech, the able, the perspicuous, the statesman-like speech of his right hon. friend last night, he could not, as an individual, humble, though foremost, in the ranks in favour of this great question, deny himself the satisfaction of expressing the unqualified and heartfelt gratification which that speech had afforded him. He had listened with pleasure to every sentiment which his right hon. friend had expressed in that speech; but never, since he had a seat in that House, had he heard any minister of the Crown with one-half the delight that he had heard his right hon. friend, when he declared, that he founded the principle of the bill upon the abolition

of all civil distinctions, and the equalization of all political rights. And he must say, that his right hon. friend, in the measure which he had brought forward, appeared to have acted in direct consonance with that principle and for that purpose—that the manner in which he had introduced it was straightforward and simple—and that it was admirably calculated to effectuate the object for which it had been devised. He would say further, that he felt the greatest anxiety when his right hon. friend rose, to learn the manner in which the important question was to be adjusted, now that it had been for the first time made a government question. He was satisfied that his right hon. friend had considered the responsibility of his situation—that, looking to the measure which he was about to introduce with all the weight and authority of government, he had well considered and duly weighed all the circumstances which were likely to require the attention of his sagacious mind, in reference to this question; and that he had fully examined whether there was any thing in the religious belief of the Roman Catholics, which rendered it necessary to apply to them any special restrictions on releasing them from their present disabilities. He was now happy to perceive that, in the measure proposed by his right hon. friend, they had not to look for those imaginary dangers, which had been so often spoken of in the frequent discussions upon this subject; and that the measure was entirely freed from all the cumbersome machinery, which had been repeatedly suggested, with a view to meet those imaginary and pretended dangers. And here it was impossible for him not to say a word, in passing, in reference to a statement made by the hon. member for Aldborough, (Mr. Fynes Clinton), who, in discussing this question, had complained that no special securities had been provided for the established church. The fact was, that his right hon. friend, in the very words of his resolution, specially referred to the state of the established church. The hon. and learned member had said, that this measure would strip the established church of its firmest and best securities. Had the established church, he would ask, no security in the constitution of this empire?—had it no security in the two acts of union, that between this country and Scotland, and that between both countries and Ireland?—Had it no security in the

House of Lords and the House of Commons, and in the Throne itself?—had it no security in the public feeling and the affections of the country, and in the great body of the property and intelligence of the empire, which was firmly attached to it? These were the securities and safeguards of the established church, and if more were called for, he for one would say it was amply provided already. He must repeat, that his right hon. friend had introduced this measure in a straight-forward, direct, and honourable manner. He was glad that he had done so: he was rejoiced that parliament, for the first time, was about to do an act of justice, without a drawback towards the undiminished loyalty and allegiance of the British and Irish gentry and people professing the Catholic religion. As far as the British Catholics were concerned, he was glad to perceive that, in the proposed measure of his right hon. friend, there was not a shadow in the shape of security which affected them. All the securities connected with the measure related to Ireland, and arose out of the peculiar circumstances affecting that country. He was glad, that towards the Roman Catholics of England they were about to make that atonement which, in his opinion, they ought to have made long ago, for their long-continued sufferings and multiplied wrongs. He now came to what had fallen from his hon. friend—the member for Dorsetshire. That hon. member conceived, that they were placed in their present situation in consequence of the remissness of the government in not taking measures in order to repress the Catholic Association in Ireland, and to prevent the other events which had taken place in that country, and which had in the view of the government, but not in the opinion of the hon. member, rendered the present measures absolutely necessary. His hon. friend, in opposing the measures for the removal of the disabilities affecting the Irish Catholics, should bear in mind, that he wronged the English Catholics too, for whose relief those measures were equally intended. As far as his (Mr. Huskisson's) political conduct was involved in the accusation which the hon. member had preferred against the government, he should explain to him the course which he had considered it his duty to pursue. The hon. member said, that in the year 1825 they passed an act against the Catholic Association, and that whether or not the

government were united on other questions, in reference to that act the cabinet had been united and unanimous. He was ready to acknowledge, that upon that bill all the members of the cabinet, in this and in the other House of parliament, were perfectly united and agreed. That bill was passed, and now the hon. member asked if the government found it ineffectual for the suppression of the Association, why did they not call upon parliament for a stronger and more efficient measure? He (Mr. Huskisson) would wish to recall the attention of the House to the circumstances of the year 1825, in reference to the great question which then, as now, engaged the attention of parliament. The bill for the suppression of the Association was passed in the early period of the session of that year, and not without a decided and vigorous resistance being offered to it, and a strong discussion having taken place. The bill, however, was carried in both Houses of parliament, and became the law of the land. But what was passing in the mean time in this country and in Ireland? That association, against which the bill was directed, relying with confidence that the grievances of which they complained would be taken into the immediate consideration of parliament with a view to their removal, forthwith obeyed the law. The leaders of the association being assured that concession was at hand, at once recommended the discontinuance of the meetings of the association, and they took every means in their power to enlighten the committees of both Houses on the state of Ireland, with a view to the removal of the disabilities affecting the Roman Catholics of that kingdom. After the association had ceased to exist, a bill for the removal of those disabilities was carried by a majority in this House: it was sent up to the other House, and there it was lost. The consequence was, that the association was revived. Now, here came the consideration, whether it were possible in the state of the public mind in England and Ireland at that time, to press a measure such as the hon. member said should have been pressed, upon the House of Commons, which had already carried a bill of concession, the loss of which had excited the greatest disappointment and dissatisfaction in Ireland, particularly after the sacrifice which they had offered to make of the elective franchise. In that situation of affairs, the government

might have come to parliament and proposed a measure which would have been as effectual as any measure could possibly be; but in thus suppressing the Association, it would have been necessary to do nothing more nor less than to entirely and permanently suspend the whole British constitution in Ireland. Did his hon. friend imagine that if the Catholic Association had been thus suppressed, there would have been an end to all discontent in Ireland? Did he suppose that it possessed no ramifications throughout the country, and that there would be no means found for complaining, if the association had been extinguished? If a measure of that description had been passed, then he would say, that Ireland would be in the state which his gallant friend, the Secretary of State, had so well described: it would not be in a state of civilized society, but private revenge and outrages on the law would prevail, from one end to the other of that island. It was, therefore, under such circumstances, his firm determination, as far as he was concerned in the councils of the country, that until Catholic emancipation was likely to be conceded, he would not lend himself to any measure that would be nothing more nor less than the total suspension of the constitution in Ireland. While the Catholic Association continued, peace generally prevailed: there were less crimes committed in the country than at any former period; private revenge was no longer known; and public outrages, to a great degree, ceased. Now, as long as peace was preserved, he was not willing to suspend the constitution in Ireland, without giving to that country any hopes of relief. That was his answer to his hon. friend. He detested the Irish agitators quite as much as his hon. friend did. He detested all parliaments but the parliament constitutionally called by the king—he detested all exchequers but the King's Exchequer, and considered no collection of taxes was consistent with the safety of the state, except that which was authorized by the law. The greatest danger in the situation of Ireland was, that its peace should rest upon any foundation but the protection and fear of the laws. But there existed in Ireland a power which could command the assemblages of multitudes, and could control them when assembled. That power belonged to the Catholic Association; and the only way to put that down was by conceding emancipation. In

the course of the last session, he had expressed a hope, that they would grant emancipation as a boon while it would be received as a boon, and before the question should become one of parley and compromise, and when it would not be received with gratitude. In the few months that had since elapsed, the dangers which then existed had rapidly increased; and it was therefore the duty of his majesty's ministers, before the question should become one of parley and compromise, to settle it, while it might be granted and received as a favour. He would not require a higher authority than that of Mr. Burke to justify the wise course which his majesty's ministers had adopted in reference to this question. "If there is," said that great statesman, in his memorable speech on economical reform, "any one eminent criterion, which above all the rest, distinguishes a wise government from an administration weak and improvident, it is this—well to know the best time and manner of yielding, what it is impossible to keep.*" There was no language in which he could better describe the wisdom and courage of government, in at length bringing forward this great question, in order to have it satisfactorily adjusted. With regard to that part of the measure which relates to the elective franchise, he owned he did not approach it with the same unmixed and cordial approbation with which he regarded the main measure itself. Abstractedly it was a measure of positive injustice; and it did not appear to him to be one of indispensable and necessary enactment. This was his own opinion of it. But whilst he said this, he wished to defer to the judgment of persons who were so much better acquainted with the state of Ireland than he was, and in whose judgment such a measure was a desirable accompaniment of the measure of relief. Considering, however, the difficulties with which he was sensible this question was surrounded—knowing well the obstacles by which government was met in the wise endeavour to adjust this question finally and satisfactorily—being aware how desirable it was that the feelings of the Protestant part of Ireland should be consulted and satisfied with this measure—and being assured, as he was, that there was a pressing political expediency for the passing such a measure, he deemed it right to assent to

it, rather than, by resisting it, embarrass or impede the success of the other greater and more important measure.

Mr. *Estcourt* explained. He said, he did not intend to disparage the present House of Commons. He had merely meant to reply to an argument of the right hon. Secretary, as to the aptness of time at which this measure was brought forward. It was only his object to show, under the circumstances of the present House of Commons, and the period at which it was elected, that it did not maintain the argument of his right hon. friend, that the present time was the fittest, and the present House of Commons the best qualified, to decide this question to the satisfaction of the country.

Mr. *Batley* rose amidst cries of "question" and "adjourn." He said, he was anxious to deliver his sentiments upon this important question—a question, upon which he had heretofore invariably given a silent vote, and that in the train of the right hon. secretary. He agreed that the present parliament was competent to try this question; but he would contend, that it was not the most competent, because it was elected in 1826, when there was a general impression throughout the country, that this question could not be carried. What he objected to in the bill about to be introduced was, that it opened to the Roman Catholics all civil offices, except that of the lord-lieutenant of Ireland, and the two chancellorships. It was true, we were to have a Protestant king; but that Protestant king might be surrounded by a Roman Catholic cabinet [a laugh]. They would, perhaps, see a Protestant king surrounded by a Catholic lord treasurer. [a laugh]. The ministers were about to pull down the adamantine pillars of the constitution [a laugh, and cries of "adjourn"]. Here the cries of "Question, question," became so loud and so vociferous, that the hon. member, after making a few additional observations, not one of which reached the gallery, at length sat down.

Mr. *Jonathan Peel* then presented himself to the House, upon which the cry of "question" was again repeated. This was succeeded by loud cries of "Peel! Peel!" and "Order!" Some voices cried out "adjourn!" After order had been, in some degree, restored, the hon. member said, that he had not been often guilty of trespassing upon the time of the House.

* See Parliamentary History, vol. xxi. p. 11.

He could not, however, upon the present occasion, injustice to his constituents, and to the general people of England, give a silent vote. The desire which he felt to express his sentiments upon this momentous question was increased by the consideration, that he was obliged to differ on this subject from all those with whom it must be his greatest happiness to agree; if such concord could be reconciled with a sense of his duty, and with his attachment to the interests of the country. For the reasons which he had stated, he felt anxious to address a few observations to the House; but not in the vain hope of being able, by any thing which he could say, to preserve the constitution from the danger with which it was now so nearly threatened. He was well aware that the arguments which he should offer to their consideration would be only a feeble repetition of those which had been formerly so ably and eloquently urged by the defenders of the constitution; that his observations would be only a faint echo of those accents which had so long been heard in support of our establishments, and which he grieved to see so much altered upon the present occasion. However, in the view which he took of the question, it was a great consolation to him to know, that he was not called upon to look with doubt or suspicion upon the motives of any of the parties engaged in the discussion of this great question. He felt convinced that all were equally and sincerely desirous of preserving from danger the Protestant institutions of the country, and that, agreeing in the same object they only differed about the means of its attainment. He also felt that it was not necessary for him to ground his opposition to the present measure upon any suspicion of the loyalty and fidelity of his Roman Catholic fellow-subjects. The numerous occasions on which they had fought and bled in defence of their king and the institutions of their country furnished the most triumphant answer to such imputations. As to the charges which had been made against them, of not being bound by their oaths or not keeping faith with heretics, these and such other imputations he rejected as utterly destitute of foundation and unworthy of notice. It was not to the Roman Catholics as individuals, nor to the Roman Catholics as a body, that he objected: it was against the religion which they professed. He should further declare, that his objections to the Roman

Catholic religion only existed against that religion, when placed in competition with the Protestant religion, and in an interest hostile to the interests of the Protestant religion. If Roman Catholics were to be admitted into that and the other House of parliament, they would represent not only the civil and political interests of the general body of Roman Catholics, but also their religious feelings. It had been said by one of the most able and eloquent advocates of Roman Catholic emancipation, namely, Mr. Fox, that unless the Roman Catholics could send into parliament those who should represent their religious feeling, they could never be virtually represented. Now, he would ask, in what the representation of the Roman Catholics of Ireland was deficient, except in this point of its not representing their religious feeling. If they could send from that country persons of their own religion to represent them in that House it was impossible that (the matter of religion alone excepted) they could display a higher degree of industry, intelligence, and zeal for the interest of their constituents, than was exhibited by the present members for Ireland. He therefore rested his objection to the proposed measures upon the effect which the introduction of Roman Catholics into parliament must have upon the constitution. The effect of their admission must be, he contended, to effect the overthrow of that constitution. He considered the present measures as an attempt to apply to religion the same principles which had been already brought to operate upon the trading interests of the country. He should leave it to others who were better instructed than himself upon this subject to say, what had been the effect of those principles upon trade. But for himself, he should only say that, when he heard on every side the cries of distressed and unoccupied manufacturers he hoped he might be allowed to doubt the soundness of the measures which had produced such a result. It had been said that, by the abolition of religious distinctions, all rivalry would be removed. But he would ask, whether it was not much more probable that the rivalry would be greater in proportion as the two religions should be placed in a nearer juxtaposition? Was it possible that the two churches so differently circumstanced could always remain as they were? That the Protestant Church, invested with the temporalities of which it had been long in

possession, would not be called upon by the other church to return part of the possessions which had formerly been her own? He did not judge illiberally of the Roman Catholics in concluding, that this would be the case; because he believed that sentiments and wishes, such as he attributed to the Roman Catholics when possessed of political power, would be entertained by Protestants in similar circumstances. He thought that the conduct of the Roman Catholic clergy themselves had lately furnished the most decided proof of the truth of what he had asserted. If mere political power was all that they wanted, they had profaned their altars, and disgraced their ministry, by the conduct which they had exhibited during the late elections. He would not injure them so much as to believe that they could have so conducted themselves, from any other motive than a desire to promote the interests of their religion and church.—He would now say a few words on the subject of the securities which had been offered to the Protestants. The first security was that of numbers. It was said, that there was no danger from the Roman Catholics, as long as the Protestants maintained their present numerical superiority. But, if any reliance were to be placed on the statements made in support of Catholic emancipation, the number of the Roman Catholics was continually increasing. If they were to believe the information derived from the advocates of the measure, the Roman Catholics had, within the last twenty years, increased from one-fifth to be one-third of the population of the whole country. He was convinced that when the Roman Catholics wanted to get rid of the tithes of the establishment, they would find willing agents in their representatives in parliament. And he here begged leave to offer the tribute of his sincere thanks to the hon. member for Colchester, for the honesty with which he had that night avowed the intentions of his party to strip off the temporalities of the established Church. The House, however, having now before them a view of the dangers, and being convinced of the inadequate nature of the securities offered, would be the better able to understand the position in which the country would be placed by the measures which had been proposed.—He might now be called upon to state, what measure he had to propose as a substitute for that which he rejected? He admitted

that this was a fair method of appeal, and that persons who agreed in opinion with him upon this question were very fairly liable to be called on to produce their own remedies for the evils, the existence of which was beyond all doubt. He should meet this appeal by saying, in the first place, that he admitted that affairs could not remain as they were. He should go further, and say, that they ought not to have been allowed so long to remain as they were. His proposition was, that an appeal should be made to the country; which would not only supply power to support an administration, but talents to conduct it. If it should be said, that an appeal had been made to the country before upon the subject, he would answer, that the appeal had been made under circumstances very different from the present. If an appeal should be now made to the people, it would at least prove to the Roman Catholics that the opinion of the people of this country was entirely adverse to granting them political power. He thought that if the time and attention which the House annually bestowed upon the reception and consideration of petitions on this subject had been employed in devising some other benefit to the people of Ireland, they might have much more advantage to that country and to the empire at large. At all events, whatever might be the best mode of proceeding, he believed that the very worst kind of legislation was that which submitted the law to a power which was opposed to the law. If this submission was the price at which alone the tranquillity and allegiance of the Roman Catholics was to be purchased, he would never consent to pay such a price. If, however, the measures in contemplation should receive the sanction of the legislature, he should advise the friends who voted with him to endeavour rather to anticipate the evils which were coming, than to wait for their arrival. In the apprehensions which he entertained of the consequences of this measure he believed that he was right; but he most earnestly hoped that he might, in the conclusion, prove to be wrong.

Sir Francis Burdett was for some seconds inaudible, owing to the noise in the galleries and body of the House. He said he would support, as far as his ability went, the measure brought forward, with so much wisdom and ability, by the right hon. gentleman, in a speech which had not yet been answered by any thing in the shape

of argument, although the House had been called upon to oppose the proposition on vague suggestions, and on considerations which had no bearing on the merits of this great question. With reference to the speech of the hon. member who had just sat down, he wished gentlemen to consider the state of things in that House, where members of the same family were opposed to each other, as a sample of what existed in Ireland, where this question was mixed with and poisoned every society; and he asked, whether it was possible that such a state of things could be permitted to continue. A noble lord on the other side of the House had called on all persons who had voted against former bills, to vote against the bill now before the House; but the noble lord should have offered some reply to the arguments urged in support of this bill, and a justification of the conduct he wished to be pursued. He would not have said a word upon this question, which he considered to be quite thread-bare, and so completely threshed out, that it was impossible to offer any thing like a new argument upon it, had it not been for one or two topics which had been introduced into the discussion of it. The hon. member for Aldborough had talked of the uncontrollable power of the priests in Ireland, and had said, that the people of that country were a priest-ridden people. Knowing something of the condition of the Irish people, from the statements of eye-witnesses, and from facts distinctly contradicting the assertion of the hon. member, he could affirm, that so far from the Irish Catholics being priest-ridden, they ruled their priests ["No! no!"]; for a long time past the priests had not been able to direct the people as formerly. [Cries of "Oh!"] Had it not been a subject of lamentation with his majesty's ministers, that the priests had lost their influence over the people, and that, therefore, they were ungovernable and uncontrollable? In the late election for Clare, did gentlemen forget that the priests strove to induce their flock to vote for Mr. Fitzgerald, and that the people refused? [Cries of "Oh!"] He had full information of the facts he stated, and could contradict the assertion he alluded to. He would defend the character of an Irish priest, as he would that of an English archbishop; and would do all he could to obviate the ignorance which represented the Irish

people as passive under the influence of their priests. In Clare, the priests did all they could to influence their flock, who were, in many cases, dissatisfied with the conduct of their priests towards Mr. O'Connell. Every thing showed that some alteration was necessary in the state of things in Ireland; and no measure had been offered for this end, but the measure now before the House. The hon. member who had spoken last seemed to him to have been guilty of some inconsistency in his argument. He began by stating, that he had the highest opinion, as every candid man must have, of the loyalty of his Roman Catholic fellow-subjects, and that he felt assured that they respected the trust reposed in them: he admitted that he renounced the belief that the Catholics were not tied by oaths; he admitted that he entertained no jealousy of his Roman Catholic fellow-subjects; and then he went on to say, that he did apprehend there would be danger in intrusting them with power. He had then argued, that they continued to augment in number, and to increase in property and wealth. The natural conclusion was, in his opinion, that therefore they ought to be admitted to a participation of the privileges of their fellow-subjects—that on principle, seeing they were in possession of wealth and property, and were increasing in number, they had every thing that could entitle them to the favour of the government; and it was a simple act of justice to admit them within the pale of the constitution, to which they were entitled equally with their Protestant fellow-subjects, unless there was some paramount necessity which excluded them. Where had it been shown that this paramount necessity existed? The hon. member who had spoken last had fallen into the strange notion, which had been lately brought into notice, that nothing less than the subversion of the established church could content the Catholics. Such an idea was so injurious to the persons to whom it attached, and so utterly out of their contemplation—an idea which he trusted none of them dreamed of—that it was creating feelings in their minds which they never thought of, to suggest this objection. Even if they entertained such a notion, it had nothing to do with the measure before the House, which benefited the Protestants more than the Catholics. The disturbances in Ireland,

and the bond of union which now existed among the Catholics of Ireland, were occasioned by Protestant injustice; and that same Protestant injustice disunited the Protestants, threw into their balanced scales the whole weight of Irish discontent, and subjected the country to the greatest danger. The evil was all occasioned by Protestant injustice; and the only way to remedy it, was to admit the claims of the Catholics, which would re-unite the Protestants, and destroy that bond of a common danger, and a common interest, which now held the Catholics united. It was offensive to suppose that the Catholics of England and Ireland would not feel gratefully affectionate to the constitution, and ready to support it when they were admitted to enjoy all its privileges. He was persuaded that the success of this measure was necessary to the peace, tranquillity, and prosperity of the empire. He implored the House not to be misled, and he believed they would not be misled, by the flimsy sophistry which had been urged by some members to delay the question, in order, as they said, to give time to appeal to the country; that was, to rouse up passions and prejudices, and appeal to them to prevent the House from doing an act of justice. No man could doubt, whatever the prejudice and the ignorance of the country might desire, that the good sense of the country was in favour of the measure. They might, if they went on, stir up the stones to petition; and some of the opponents of the measure had called on the stones to rise in judgment against the measure; and if the stones could write, they might possibly be brought to petition, as the dogs had petitioned—at least the representatives of the dogs had petitioned—for he had seen a petition signed by a huntsman and a whipper-in [a laugh]. But he hoped the House would not be imposed upon by any such foolish delusion. The hon. baronet concluded by expressing his hearty concurrence in the measure proposed by the right hon. Secretary for the Home Department, and declaring, that those gentlemen must be void of candour, who, being unable to answer the arguments of the right hon. gentleman, were not satisfied with those arguments, and censured him for proposing a measure that was necessary for the welfare and security of the country [cheers].

The Hon. W. Duncombe said, he meant

to give his honest and conscientious opposition to the present measure. He looked upon it as an unqualified, unconditional, emancipation of the Catholics. The right hon. gentleman had talked about securities, but he saw none proposed, and the English Church was left without any security whatever. He was astonished to hear the hon. baronet, of all men, attack the rights of the people. He had openly attacked the right to petition; but he, for one, could assert, that the petitions he had presented expressed the honest, decided, and conscientious opposition of the petitioners to the measure proposed by his majesty's government. It had been said, that the country had not been taken by surprise, when the recommendation came from the Throne; but he was in the country when the Speech from the Throne arrived, and it would be in vain for him to endeavour to express the surprise, the consternation, and he might say, the indignation, with which it was received. The hon. member made some few further observations, but the impatience of the House was so great that we could not distinguish what the hon. member said.

The noise and uproar which now prevailed exceeded all description. Cries of "divide, divide," "adjourn, adjourn," "go on, go on," were vociferated from all quarters.

Mr. G. Moore moved, that the further consideration of the question be adjourned to Monday.

Lord Howick expressed a hope, that no delay would take place in passing the proposed measure. It was of the utmost importance that the business of the country should be carried on as expeditiously as possible. Those who were anxious to retard the proposed bill only shewed the weakness of their party; and if they persevered in their opposition they would only publish their own disgrace.

Mr. Hobhouse said, the sense of the House on the subject in discussion might as well be taken on the question of adjournment as upon the real one; but he begged it should be understood, that those who should vote against the adjournment were in favour of the right hon. Secretary's motion, and that those who should support the adjournment were adverse to the Catholic claims.

Mr. Secretary Peel had no hesitation in saying, that it was his intention, throughout the whole discussion, to give

to every hon. gentleman an opportunity of expressing his sentiments. So far as depended on him, he was willing to allow every latitude to hon. members; but he was bound also to say, that he felt it his public duty to resist, as far as he could, every attempt to create delay. He had seen nothing in the whole course of the argument to induce him to believe that the debate might not then close. He felt it, therefore, his duty to oppose the question of adjournment; and concurred in opinion with the hon. member for Westminster, that the numbers on the division on the question of adjournment would form a fair criterion by which to judge of the sense of the House.

The same calls of "adjourn," and "go on," were renewed, and kept up for a considerable period.

Mr. Moore said, if he did consent to withdraw his motion for an adjournment, he trusted the House would offer no opposition to the expression of his opinions on the question.

The motion for adjournment was, with the leave of the House, withdrawn.

Mr. Moore said, he had hoped that when he should have obtained permission to address the House on the important question under consideration, he should have been allowed to do so under advantages of which he was now deprived. He had hoped to have had previously an opportunity of presenting to the House a body of petitions against the Catholic claims eminently entitled to its attention. He could only now express his deep regret that that opportunity had not been afforded him. In reply to the description given by the hon. and learned member for Winchelsea of the measure proposed by government, he would contend, that so far from its being a simple and efficacious measure, calculated for the public good, it was a simple and unqualified breaking up of the constitution [cheers]; indeed, an utter subversion of the fundamental principles of Protestantism. He could not patiently hear it asserted in that House, that Protestantism was not an essential character of the British constitution. He considered that the principle of exclusion being so far from the spirit of the constitution, was essentially necessary for its preservation. It was to preserve the constitution, that those qualifications were prescribed, from time to time, with respect to persons holding the

various offices in the state and legislature. It had been said, that in the reign of Elizabeth no objection was taken to Roman Catholics sitting in parliament; but he contended, that it was only by favour, accident, or carelessness that they were admitted. It had been stated, that the acts of exclusion were not perpetual in their terms; but the principle of exclusion was made part and parcel of the law of the land, and permanent, by the 30th of Charles 2nd. An argument had been drawn with regard to the temporary nature of these oaths, by a reference to the act of Union with Scotland and Ireland. It had been argued, that because one of the articles of the Scottish Union prescribed that these oaths should be taken, until parliament should further determine, therefore it was in the contemplation of those who framed the Union, that the oaths should be of but a temporary nature. But they who used this argument seemed to have forgotten, that one of the fundamental articles of the Union was drawn up for the purpose of excluding Papists. If it was meant to say, that the executive government and the legislature might be composed of Roman Catholics, where was the necessity of the Protestantism of the Crown? An argument had been frequently used with respect to the effect which the repeal of these Protestant safeguards might have on the king's right to the Throne. He was quite aware that this was a delicate subject to touch upon; but it was one which deserved to be rightly understood. He was not one who thought that the royal assent to the removal of disabilities affecting the Roman Catholics would dissolve the allegiance of the people: that was a doctrine he could never hold. After having admitted Catholics into the legislature, a ministry might, at some future time, tell the parliament, that in 1829 the Protestant principles of the constitution were destroyed, and therefore the Crown need no longer be worn by a Protestant. He never could agree to the argument of expediency, which had been brought forward with respect to this question. He was quite confident that the constituency of the counties of England were adverse to the Catholic claims. It was no argument to say, that many of the counties returned members friendly to Catholic emancipation; because the minds of the people had been distracted by the consideration of other questions.

But if they had an opportunity of expressing their opinion on this question exclusively, he was confident it would be against the Catholic claims. Doubtless there had been evils which afflicted Ireland; and amongst them—the Catholic Association, and the enormous power possessed by the Catholic peasantry in the elective franchise. But why had they not been remedied? Why had not the Association been suppressed long before? It was not through any want of power in the government, but through a mischievous desire in statesmen to further the realization of a favourite theory in politics. If the disabilities imposed on the Catholic population were real grievances, then might they reasonably complain; but those disabilities did not affect the people in general. The inconvenience was confined to only twenty or thirty gentlemen, who were excluded from seats in parliament.—He could not conclude without alluding to the conduct, character, and feelings of the Protestants of Ireland as connected with this question. They were brave, loyal, and faithful to British connection. Their sufferings and exertions had contributed much to the success of the military movements made for the establishment of the Revolution of 1688. Were the interests of that brave class of subjects to be sacrificed? After a noise of some minutes the hon. member expressed his wish that the measure should not be precipitated. He wished the right hon. gentleman would give the country full and fair time to declare their sentiments in opposition to it. He was sure the Protestants of Ireland were hostile to the measure. The people of England had already expressed their opposition to it. It was but just that the government should yield to the national desire. The right hon. gentleman himself had admitted that concession would be attended with danger. What was that danger? The fear that the Catholic influence should triumph over Protestant principles. That was the opinion of the people of England. The spirit of the Church of Rome was an elastic spirit, that required constant compression, or it would escape, and spread its influence in every direction—it would insinuate itself into the penetralia of every public question, ever attempting and aiming at more than it possessed.

"Nil actum reputans, dum quid superasset agendum."

Mr. Portman said, he would not have attempted to take up the time of the House at that late hour, but that an imperative sense of duty towards his majesty's ministers induced him to offer a few words upon the subject. He could not allow it to be said, that the people of this country had been taken by surprise upon this question. The discussions had been frequent enough, for every one to be prepared in their opinions. The question could only be settled well in one way, and that was by conciliation. He agreed with those who thought that the course taken by his majesty's ministers was the correct one, and he cordially thanked them for having adopted it.

Sir C. Burrell, amidst loud cries of "question!" made a few observations. He was understood to be opposed to the measure; and he read some letters to shew the dominant influence exercised by the Catholic clergy in Ireland.

Viscount Corry said:—I did not intend, Sir, to have spoken upon this subject, but as I had the honour to second the Address to his majesty for the Speech from the throne, in which some measure of this sort was recommended, I feel bound to state my opinion on the measure that is now produced. When I seconded the Address, I thought that this question might be well settled for the advantage of the whole kingdom; but at the same time I reserved to myself the right of opposing any measure, that might be produced; and I distinctly stated, that I would oppose any measure, come from whom it might, if I thought it was not accompanied with sufficient safeguards. However sanguine were the hopes I then entertained that no measure would be produced without those safeguards, I must confess that the bill of last night has completely dissipated those hopes. In fact, with the exception of the change respecting the forty-shilling freeholds, requiring that the right to vote at elections shall in future be confined to the possessors of freeholds of the value of ten pounds, there is no attempt whatever at security. And even that is but a half measure. With that single exception, and with the exception that Catholics are not eligible to the office of Lord-lieutenant of Ireland, and Lord Chancellor or Keeper of the Great Seal of England, this bill is, in fact, a measure of unqualified, unconditional emancipation. To a measure of that sort, I can never assent; and however

painful it may be to me to differ from those with whom I have hitherto agreed, I cannot bring my mind to agree with them: and although it might have been more formal to state my objections in the committee, I felt it would be the more direct and manly course to oppose your leaving the chair when that motion was made, with the hope of obtaining securities, that I feel there can be no probability of securing.

Mr. *Hart Davis* was understood to say, that if he could believe the proposed measure would create tranquillity in Ireland, he would be the last man to oppose it; but having seen that every fresh concession did but excite still bolder claims on the part of the Catholics, he should continue to give the measure his decided opposition. When he looked to the conduct of the Roman Catholics for some years back, he could not have confidence in them. As the matter at present stood, he should certainly oppose it: if, however, in the committee, proper securities should be proposed, he would not object to them; but at present, from all that had been stated, he saw no reason for changing his mind.

Mr. *B. Cooper* said, he only rose to implore the right hon. gentleman and his coadjutors, not to attempt to pass a measure of this kind, involving the abrogation of the fundamental constitutional laws of the country, without the consent of the church and the people.

Mr. *C. Pelham* spoke briefly against the motion, but was nearly inaudible, from the cries of "question." If the forms of the House would allow it, he would move, by way of amendment, "That this House return their humble thanks to his majesty, for his gracious Speech on the subject of the disabilities affecting his Roman Catholic subjects, but beg leave to express their firm opinion that the repealing of the act of the 30th of Charles 2nd, and the act of king William, would endanger the just privileges of the king, and the fundamental rights of the people." Here the cries of question were again renewed, when

Mr. Secretary *Peel* rose to reply; and order being, in some measure, restored, the right hon. gentleman proceeded to address the House. He said, that although so much of the discussion which was adverse to the proposition now about to be decided upon by the vote of the

House, had had personal reference to himself, he yet felt himself relieved from the necessity of availing himself of his privilege of reply to rebut it. He would not avail himself of that privilege, because he thought the interests involved in the question were so important, and so complicated, that any topic of individual or personal concern became matter of comparative insignificance. Of all the appeals which had been made to him, there was but one which he would notice, and during the remainder of these discussions, this should positively be the last appeal he would notice with respect to his own personal conduct. He had explained the reasons for changing the course which he had formerly pursued, and the circumstances which placed him in the situation of having to propose this measure as a minister of the Crown. If those explanations had not been satisfactory, he could not help it. He had nothing to add to them; and he felt that he should only be diverting the attention of the House from matters of much greater moment—of much higher public concern—if he noticed any observations referring to himself, which might hereafter be made. But one question had been asked by the noble member for Anglesey (lord Uxbridge) to which he was desirous of giving an answer. The noble lord had complained of the change which had taken place in his sentiments; but if he mistook not, the noble lord would find in his own family an honourable example of a similar change.

Lord *Uxbridge* rose with some haste, and asked the right hon. gentleman, whether he referred to the recent conduct of his father? If so, he must strongly object to such an allusion.

Mr. Secretary *Peel* said, he had not the slightest intention to offend the noble lord, and he begged pardon if he had done so: but he thought he recollected, that a brother of the noble lord, in a manner which did him the highest credit, did, in the course of last session, avow a change of opinion. That noble individual had declared, that having been in Ireland, and observed the state of things there, he had seen reason to change the opinion he had up to that time held with respect to the Catholic question. The reference he made to this circumstance was intended only to the honour of the individual alluded to. The noble lord had asked, why he (Mr. Peel) had not, in 1827, taken the course which he had taken in 1828; and why he had

not consented, in 1827, to assist Mr. Canning, either in carrying on his government or in the adjustment of the Catholic question. To that question he replied, that there was a material difference in his situation in 1827, and his situation in 1828. In 1827, a new House of Commons decided against concession; but in 1828, it decided in favour of it. He then took the course which he adopted in 1825, when lord Liverpool was at the head of the government. He begged to refer the noble lord to the debates which took place in that House in 1827, and he would find, in the usual record (*Hansard's Parliamentary Debates*)* that he did state the course he had pursued in 1825, precisely as he had stated it last night. He would quote the words from the work alluded to—

"In 1825, after I had been left in minorities on three different questions, immediately connected with Ireland—the Catholic Question, the Elective Franchise, and the Payment of the Catholic Clergy (which I thought something very like the establishment of the Roman Catholic religion in Ireland)—I waited on my noble friend, then at the head of the government. I told him that, personally, it was painful for me to disconnect myself from those whom I esteemed and respected; but that having been left in a minority in that branch of the legislature of which I was a member, I anxiously desired to be relieved from my situation. The reply of my noble friend was, that my retirement would determine his own. I finally consented to remain in office; my noble friend declaring, that he deemed it of the highest importance that the Secretary of State for the Home Department should possess opinions as much as possible in accordance with those of the Prime Minister. He represented to me the difficulties he should experience in filling up the situation, and in short, that my retirement must determine his own. I was thus induced to wave my wish for retirement, and to consent to remain until a new parliament had pronounced an opinion upon the great question which interests and agitates Ireland."

In 1827, a new parliament did decide with him in favour of resistance to the Catholic question. In 1828, the same House of Commons took a different course, and left him in a minority; and he then

determined no longer to remain responsible for the conduct of the affairs of Ireland, with a minority upon the Catholic question, in that House. The noble lord would find, that his late right hon. friend, Mr. Canning, did full justice throughout to the motives which induced him to decline, as he would now under the same circumstances, to be a member of his government. During the whole course of the discussions his late right hon. friend admitted the impossibility of his joining him. His late right hon. friend, in the course of one of his speeches, said,

"To begin with the more agreeable part of my task, the speech of my right hon. friend, I shall confirm the greater part of that speech. I can bear testimony that, throughout the whole of the discussions that have taken place since parliament was adjourned, I have kept up with my right hon. friend the most constant and confidential intercourse; and throughout have I found in him the same candour and sincerity, and the expression of the same just feelings, and a uniform exhibition of the same high principle, to which he has laid claim in the address which he has this night delivered. I assure the House, that they much mistake the position in which I have the honour to stand, who believe that position to be one of gratified ambition, or as conveying the feeling of unalloyed satisfaction. From the beginning of these discussions I foresaw—both of us foresaw—that they must terminate in a separation; which I hope to God may be only for a time. Had the question been merely between my right hon. friend and myself, and had it been to be decided by his retirement, or by mine, I do most solemnly declare it should have been decided by the latter alternative."*

He still believed that his retirement from the government at that period, was for the advantage of the king's service. That, he believed, was also Mr. Canning's opinion. For how could the government have acted effectively with Mr. Canning advocating the settlement of the question in that House, and he opposing it, with only a majority of four. In 1828, when the question was last brought forward, and when he found himself again in a minority, he had said "the time is now come, when a new parliament has decided against me, and when the House of Lords are in a

* See vol. xvii. p. 405.

* See vol. xvii. p. 429.

state of division upon the question; the time is arrived, when an attempt to settle the question must be made, and to that attempt I will lend my aid." With reference to quite another matter he found, in another part of Mr. Canning's speech, a passage which he would refer to, because it contained the opinion of lord Liverpool, with respect to the probability of forming a united government opposed to concession. Lord Liverpool stood justly high in the estimation of the country. He had conducted the affairs of the nation for a longer period than most ministers during the last century. His memory was held in respect, and he felt confident that his opinion, with respect to the probability of forming a united cabinet, in the present state of the public mind, determined to offer unqualified opposition to the Catholic claims, would be received with attention. The following was the passage in Mr. Canning's speech, and he could undertake to vouch for the correctness of the statements which it contained:—"Not many months ago, from quarters which I will not name, strenuous advice was addressed to his majesty, to place his government on a footing of unanimity, with respect to the Catholic question; and that unanimity to be one of uniform opposition to that question. Lord Liverpool, to whom this advice was communicated, at the same time that it was addressed to his majesty, in a letter to his majesty, stated first, that having been one of the original authors of a government divided in opinion on that question, he, for one, never could consent to become a member of a government modelled upon the principle of exclusion. Lord Liverpool also added, that as he was called upon to give his advice to his majesty, he must say, that, in his opinion, it would be extremely difficult to accomplish the formation of such a government."

When, therefore, hon. members spoke of the facility with which a Protestant government might have been formed some time since, he appealed with confidence to the opinion and the intention of lord Liverpool, to prove that the difficulty was rather greater than some persons imagined. Some hon. members had imputed to government the taking the House by surprise. Now, apart from the considerations connected with the discussions on the principles and details of measures

which had been brought forward during the last sixteen years, he would ask, whether, with respect to the isolated proceeding under the notice of the House, government could be fairly charged with precipitation. The contents of the king's Speech were a sufficient indication that the adjustment of what was called the Catholic question was in contemplation. On the first day of the session, he was asked by the hon. member for Dorsetshire, what was the general principle of the measure. His answer to the hon. member was, "that he would go so far as to state that the measure would contemplate the general removal of disabilities, though there would be some exceptions and other arrangements." That intimation was given on the 5th of February. It was now the 6th of March, and yet the House had not proceeded a single step with the measure. That simple statement of fact negatived the imputation which had been thrown out. Another objection which had been made to the motion he had had the honour to propose was, that it gave to the Roman Catholics complete emancipation. It did so. The basis on which the measure proceeded was that which he had explained last night,—namely, equality of civil rights. The more he thought on the subject, the more he was satisfied, that if we once made up our minds to abandon the present system of exclusion, there was no intermediate point at which we could safely and consistently stop, short of the repeal of civil disabilities and the restoration of political rights. Some persons might consider that what was about to be granted was a free gift which we had a right to withhold, but which was granted from motives of expediency. Others might consider it a debt which we were not justified in withholding. If it was not a free gift, and we had no right abstractedly to withhold it, let us give all we could safely give. If it was a free gift, and we might be justified in withholding it, let us give the more generously. If we owed a debt, let us pay twenty shillings in the pound. If of that debt they paid only fifteen shillings in the pound the question would remain in agitation until the full twenty shillings were paid. But it would be because the twenty shillings had been paid; that if any effort were made to extort one single shilling more than was lawfully due, the most strenuous opposition would be offered to such attempt.

Another objection had been made to the proposed measure. It was this:—that it was unaccompanied with any securities, or at least any adequate securities. But what, he would ask, were the securities required? Let it be recollected, that the simple point was, whether the question was or was not to be settled? If it was not, then there was an end of the matter. If it was to be settled, let them at least hear what the securities were. He doubted very much whether, if he had proposed to incorporate the Catholic religion with the state,—to make provision for the ministers of that religion,—to regulate the appointment of those ministers, and to interfere with and control the intercourse of the Roman Catholics with the See of Rome,—he doubted, he said, very much, whether he should not have been told, that such propositions were inconsistent with the coronation oath, and with the maintenance of the established Church. He very much doubted, whether the people of this country would not have looked upon such regulations with infinitely greater distrust, than they would upon such an arrangement as would place the Catholic upon precisely the same footing as other Dissenters from the Established Church. When he looked at the petitions which had been sent from the Protestants of Ireland,—and he had examined all those petitions with the greatest attention,—he could not help observing one very extraordinary coincidence. These petitions prayed for three particular securities, and the prayers of them were couched in terms so exactly similar, whether they came from the county of Wicklow, or from the county of Cork, or from the county of Armagh, or from the county of Wexford, that it was impossible to arrive at any other conclusion, than that those prayers, and the terms in which they were conveyed, had been suggested by some common head and originated in the same common source. And what were the three securities prayed for? Why, the first was, “Put down the Catholic Association.” The second was, “Correct the evils of the elective franchise of Ireland.” And the third was, “Abolish the order of Jesuits in this country.” Now, the bill which he proposed to introduce happened to contain all these securities. And if the necessity for them was as great as the petitioners contended they were, let him be answered this question,—would the Protestants ever

have had the least chance of obtaining them, if his majesty had not recommended that the disabilities of the Catholics should be taken into consideration, with the view to an adjustment of this question? Look at the division of the House of Commons last year;—look, as they very shortly might, at the decision of the House of Commons that night—and tell him, whether any man would say that it was possible, though the unanimous voice of the Protestants of Ireland declared these securities to be necessary, that any one of them could have been obtained, unless a proposal of adjustment had been made.

He must say, that notwithstanding so much of this debate had turned upon the observations which had fallen from him last night, he had heard no answer to this question—“If you do not like my proposal, what is it that you propose to do, under the present circumstances?” He was well aware that much might be said against his proposal. His hon. friend, the member for Dublin, might make again, as he had made that night, an able disquisition on what passed in 1688; but his hon. friend might depend upon it, that able disquisitions were not sufficient now. They would not meet the difficulties of the present time. Something must be done; and if it were not what he proposed to do, what was it? This, he repeated, had not been answered. It seemed to be considered as a sufficient answer to the position, that no stable government could be formed on the principle of exclusion, to say—“Only dissolve the parliament.” Only dissolve the parliament! That was to say, dissolve the parliament, and in the mean time leave the Catholic Association, leave the elective franchise, as they were. Where, he would ask, were the ministers who would advise a dissolution of parliament, leaving the agitation complained of, not as it was, but increased in a ten-fold degree by the disappointed expectations which had been excited by a neutral government, and by the formation of an exclusive government, which, if it could be supposed to last, must extinguish even hope. If the parliament were to be dissolved, the Catholic Association must be left as it was; for the law officers of the Crown had declared, that the common law was inadequate to suppress it; and being so left, it would overturn the representation of Ireland. Whatever majority they might have from Great-Britain, that majority

would not justify them in bursting asunder the ties between landlord and tenant in Ireland, and in strengthening the influence of the priesthood in that country. The Protestant majority returned from Great-Britain could not restore matters to the state in which they were before. If eighty or ninety representatives were returned in the interest of the Catholic Association, and, forming themselves into a compact and united band, were determined to oppose and to harass it nightly, how, he would ask, could the government transact the affairs of Ireland. He knew that they could carry the measures they proposed; but he knew also, that no government could carry on the local administration of Ireland if they were to be met by such a decided opposition at every turn. There were many nice distinctions by which they must carry on civil government; and the details connected with it, though unseen, were most important. It had been said, "increase the army, or the constabulary force in Ireland." They could not apply a greater force than was now engaged by the government in Ireland. He would state one simple fact. Above five-sixths of the infantry had last summer been employed in conducting the government of Ireland [cries of hear]; employed in conducting the government, not in repressing violence, but chiefly in interposing between two hostile parties. He had said, and he would repeat, that they could not calculate what the consequences would be, if they declared that they would resist all further concession. There must, under such circumstances, be a most violent re-action, which would compel them gradually to this alternative; namely, instead of resting the civil and social government on its base, to reverse it, and rest it on its apex. Unwilling as he was to repeal those laws which conferred a character exclusively Protestant on the legislature, still he did believe, that the Catholics were acquiring that power, by their wealth, their numbers, and, above all, by the advance of education, that with their numbers, with their wealth, and with their education, joined to their expectations and to the justification of those expectations by a majority of that House in their favour, it was less dangerous to incorporate them with the state, than to attempt to continue the exclusion of them therefrom. He did see, by the course of events, by the eloquence which had been displayed in their behalf, and by

the decisions of four Houses of Commons in their favour, that a compact had been established in that body, which could not be dissolved but by admission to the state. The bond of connexion could not be dissolved by any other means; and, let it be recollected, it was not merely a bond which united the Catholics, but a bond which also united with the Catholics all those whose religion differed from that of the established Church. All who were subject to disabilities on account of religious opinions, looked upon the cause of the Catholics as their own; so far as it regarded the removal of such disabilities. This connexion would be dissolved, if the disabilities were removed; but he did not believe that they could devise any laws, while the Catholics were supported by so powerful a body in parliament, that would be adequate to repress that volatile and diffusive spirit, as it had been called, with which they should have to deal in Ireland. In conclusion, he would merely add, that, not having heard even an attempt at a reply to the question which he had invited his opponents to answer, he was completely satisfied, that no other course than that which he had proposed could be adopted.

The House then divided: Ayes 348. Noes 160. Majority for the Resolution, 188. The House immediately resolved itself into a Committee, in which Mr. Secretary Peel moved,

"That it is expedient to provide for the repeal of the Laws which impose civil disabilities upon the Roman Catholic subjects of His Majesty, with such exceptions, and under such regulations, as may be required for the full and permanent security of the Establishments in Church and State, for the maintenance of the Reformed Religion, established by Law, and of the rights and privileges of the Bishops and of the Clergy of this Realm, and of the Churches committed to their charge."

The Resolution was agreed to, and ordered to be reported on Monday; after which, the House adjourned at three o'clock on Saturday morning.

List of the Majority, and also of the Minority.

MAJORITY.

Abercromby, rt. hn. J.	Apsley, lord
Acland, sir T. D.	Arbuthnot, rt. hon. C.
Alexander, J.	Arbuthnot, hon. col.
Althorp, Viscount	Arcedeckne, A.
Anson, hon. G.	Ashley, lord
Anson, sir G.	Baillie, col.

Balfour, J.	Croker, J. W.	Guise, sir B. W.	Marryat, J.
Barclay, D.	Crompton, J.	Gurney, Hudson	Marshall, W.
Baring, A.	Daly, J.	Harvey, D. W.	Maxwell, J.
Baring, W.	Davenport, E. D.	Halse, J.	Martin, J.
Baring, F.	Davies, col.	Hardinge, sir H.	Martin, sir T. B.
Beaumont, T. W.	Dawson, J. M.	Hay, lord J.	Maule, hon. W.
Bective, earl of	Dawson, A.	Hay, A.	Maxwell, J.
Belgrave, lord	Denison, W. J.	Heathcote, sir G.	Mildmay, P. St. John
Benett, J.	Denison, J.	Heathcote, G. J.	Milton, visc.
Bentinck, lord G.	Doherty, J.	Heathcote, R. E.	Monck, J. B.
Beresford, sir J.	Douglas, W.	Heron, sir R.	Montgomery, sir J.
Beresford, major	Dowdeswell, J.	Herries, rt. hon. J. C.	Morland, sir J. B.
Bernard, T.	Drummond, Home	Hill, lord A.	Morpeth, visc.
Bingham, lord	Ducane, Peter	Hill, sir G.	Mountcharles, earl of
Birch, J.	Darlington, earl of	Hobhouse J. C.	Murray, sir G.
Blake, sir F.	Duncannon, visc.	Hodgson, F.	Newport, sir J.
Boyle, hon. J.	Duncombe, T.	Horton, rt. hon. R. W.	Northcote, H.
Bourne, rt. hon. W. S.	Dundas, C.	Howard, H.	Norton, G.
Bouverie, hon. B.	Dundas, hon. T.	Howick, visc.	Nugent, sir G.
Bradshaw, cap.	Dundas, hon. G.	Hulse, sir C.	Nugent, lord
Brogden, J.	Dundas, sir R.	Hume, J.	North, J. H.
Brougham, H.	East, sir E. H.	Hurst, R.	O'Brien, L.
Brougham, J.	Easthope, J.	Huskisson, rt. hon. W.	O'Brien, W. S.
Browne, J.	Eastnor, visc.	Hutchinson, J. H.	O'Hara, J.
Brownlow, C.	Ebrington, visc.	Hutchinson, J.	Ord, W.
Bruen, col.	Eden, hon. R.	Ingilby, sir W.	Owen, sir E.
Buller, C.	Eliot, lord	Innes, sir H.	Pallmer, C. F.
Burdett, sir F.	Ellis, hon. G. A.	Irving, J.	Pallmer, R.
Buxton, T. F.	Ellison, C.	Jones, J.	Palmerston, visc.
Byng, G.	Elphinstone, col.	Jephson, C. O.	Parnell, sir H.
Burrard, G.	Ennismore, visc.	Jermyn, earl	Peel, Lawrence
Calcraft, right hon J.	Euston, earl of	Jolliffe, col.	Peel, right hon. R.
Calthorpe, hon. F.	Ellis, hon. A.	Kekewich, S. T.	Peel, W. Y.
Calvert, C.	Ewart, W.	Kennedy, T. F.	Pendarves, E. W.
Calvert, N.	Fane, hon. H. S.	King (Cork), hon. R.	Phillimore, Dr.
Calvert, J.	Farquhar, sir R.	Knight, R.	Philips, sir G.
Campbell, A.	Fazakerly, J. N.	Knox, hon. T.	Philips, G.
Campbell, J.	Fergusson, R. C.	Labouchere, H.	Phipps, hon. E.
Carew, R. S.	Fergusson, sir R.	Lamb, hon. G.	Perceval, Spencer
Carrington, sir C.	Fitzgerald, rt. hon. M.	Lambert, J. S.	Ponsonby, hon. F.
Carter, J.	Fitzgerald, J.	Langston, J.	Ponsonby, hon. W. S.
Cartwright, W.	Fitzgerald, lord W.	Lascelles, hon. W.	Ponsonby, hon. G.
Castlereagh, visc.	Fitzgibbon, hon. R.	Latouche, R.	Portman, E. B.
Caulfield, hon. H.	Forbes, visc.	Lawley, F.	Power, R.
Cave, R. O.	Forbes, sir C.	Lennard, T. B.	Powlett, lord W.
Cavendish, lord G.	Forbes, J.	Lester, B.	Poyntz, W. S.
Cavendish, C.	Fortescue, hon. G.	Lethbridge, sir T.	Prendergast, M. G.
Cholmondeley, ld. H.	Foster, J. L.	Lewis, rt. hon. T. F.	Price, Robert
Clarke, hon. C. B.	Frankland, R.	Leycester, R.	Pringle, sir W.
Clements, visc.	Fremantle, sir T.	Liddell, hon. H.	Pritt, hon. F. A.
Clerk, sir G.	French, A.	Lindsay, col.	Proby, hon. G.
Clifton, lord	Foley, J. H.	Lindsay, hon. H.	Protheroe, E.
Clive, E. B.	Garlies, visc.	Littleton, E. J.	Ramsbottom, J.
Clive, visc.	Gilbert, D.	Lloyd, sir E.	Rae, rt. hon. sir W.
Clive, hon. R.	Gordon, R.	Lloyd, T.	Raine, Jonathan
Clive, H.	Goulburn, rt. hon. H.	Lockhart, J. I.	Ramsden, J. C.
Cockburn, right hon.	Gower, lord F.	Lombe, E.	Rancliffe, lord
sir G.	Graham, marquis of	Loch, J.	Rice, T. S.
Cocks, J.	Graham, sir J.	Lumley, J.	Roberts, A. W.
Coke, T. W.	Grant, right hon. C.	Lushington, Dr.	Robinson, sir G.
Colborne, N. R.	Grant, R.	Maberly, J.	Rowley, sir W.
Cole, sir C.	Grant, F. W.	Maberly, W. L.	Rumbold, C. E.
Cooke, sir H.	Grattan, J.	Macdonald, sir J.	Russell, R. G.
Coote, sir C.	Grattan, H.	Mackintosh, sir J.	Russell, lord John
Corbett, Panton	Grosvenor, general	Maitland, visc.	Russell, W.
Courtenay, T. P.	Grosvenor, hon. R.	Maitland, cap.	Sandon, visc.
Cradock, Sheldon	Guest, J. J.	Marjoribanks, S.	Saunderson, A.

Scarlett, sir J.	Villiers, T. H.	Drake, colonel	Peachy, general
Scott, H.	Vivian, sir H.	Dugdale, D. S.	Pearse, John
Sebright, sir J.	Waithman, alderman	Egerton, W.	Peel, Jonathan
Sefton, earl of	Walker, J.	Estcourt, T. G. B.	Pelham, J. C.
Sinclair, hon. capt.	Wall, C. B.	Evans, admiral	Pennant, G. H. D.
Slaney, R.	Warburton, H.	Fane, John	Pitt, Joseph
Smith, hon. R.	Warrender, sir G.	Farquhar, J.	Petit, L. H.
Smith, G.	Webb, E.	Fellowes, W. H.	Pigot, G. E.
Somerset, lord G.	Westenra, hon. H.	Fetherston, sir G. R.	Palk, sir L.
Somerset, lord E.	Western, C. C.	Fleming, John	Pollen, sir J.
Somerville, sir M.	Whitbread, S. C.	Foley, E.	Powell, W. E.
Stanley, lord	Whitbread, W. H.	Fyler, T. B.	Powell, Alexander
Stanley, E.	White, S.	Gascoyne, general	Rickford, W.
Stewart, John	White, colonel	Gooch, sir T.	Rochfort, G.
Stewart, W.	Whitmore, W. W.	Gordon, John	Rose, rt. hon. sir G. H.
Stewart, sir M.	Wilbraham, G.	Green T.	Rose, G. P.
Stuart, lord P. J.	Wallace, T.	Grant, sir A. C.	St. Paul, sir H.
Stuart, H. Villiers	Williams, J. F.	Gye, Fred.	Scott, hon. W. H. J.
Sugden, E. B.	Williams, O.	Handcock, R.	Scott, hon. W.
Scott, sir W.	Wilson, sir R.	Hart, general	Scott, Samuel
Talmash, hon. F.	Winnington, sir T.	Hope, sir W. J.	Spence, George
Taylor, M. A.	Wodehouse, E.	Harvey, sir E.	Shelley, sir John
Taylor, C. W.	Wood, alderman	Hastings, sir C.	Shirley, E. J.
Tennyson, C.	Wood, C.	Heathcote, sir W.	Sibthorp, C. D. W.
Thompson, W.	Wood, J.	Hodson, J. A.	Smith, Samuel
Thompson, P. B.	Worcester, marquis of	Hotham, lord	Smith, Abel
Thomson, C. P.	Wortley, hon. J. S.	Houldsworth, T.	Smyth, sir G. H.
Thynne, lord G.	Wrottesley, sir J.	Holdsworth, A. H.	Sotheron, admiral
Thynne, lord J.	Wynn, sir W. W.	Hill, sir R.	Spence, George
Thynne, lord W.	Wynn, rt. hon. C. W.	Inglis, sir R. H.	Strutt, J. H.
Tierney, rt. hon. G.	Wyvill, M.	Keck, G. A. L.	Stuart, J.
Tindal, sir N.	Yorke, sir J.	Kemp, T. R.	Tapps, G. W.
Tomes, J.	PAIRED OFF.	Kerrison, sir E.	Taylor, G. Watson
Townshend, hon. J.	Manning, W.	King, hon. H.	Thompson, G. L.
Tuite, Hugh	Roberts, W. A.	Knatchbull, sir E.	Townshend, lt.-col.
Tunno, E.	Sykes, D.	Lennox, lord G.	Trant, W. H.
Twiss, H.	TELLERS.	Legge, hon. A.	Trevor, hon. G. R.
Tynte, C. K.	Dawson, G.	Legh, T.	Tudway, J. P.
Tufton, hon. H.	Planta, J.	Lowther, viscount	Tullamore, lord

MINORITY.

Alexander, Henry	Benson, P.	Lowther, J. H.	PAIRED-OFF.
Archdall, general	Carmarthen, marquis	Lushington, J. L.	Forrester, hon. Cecil
Arkwright, R.	Capel, John	Lott, H. B.	Ward, William
Ashurst, W.	Cawthorne, J. F.	Lucy, George	Downie, R.
Atkins, John	Cecil, lord T.	Luttrell, J. F.	TELLERS.
Astley, sir J. D.	Chaplin, C.	Lygon, hon. H. B.	Chandos, marquis of
Antrobus, G. C.	Chaplin, Colonel	Macqueen, T. P.	Duncombe, hon. W.
Barne, M.	Chichester, sir A.	Mandeville, viscount	
Baker, Edward	Clinton, J. F.	Maxwell, Henry	
Bankes, Henry	Cooper, R. B.	Moore, George	
Bankes, George	Cotterell, sir C. G.	Morgan, sir Chas.	
Bastard, E. P.	Cripps, Joseph	Morgan, G. G.	
Bastard, J.	Curteis, E. J.	Mundy, Francis	
Batley, C. H.	Cust, hon. captain	Mundy, George	
Blackburn, John	Cust, hon. E.	Macleod, J.	
Bradshaw, captain	Cole, hon. Arthur	Manners, lord C.	
Belfast, earl of	Corry, viscount	Manners, lord R.	
Bell, Matthew	Corry, hon. Henry	Nicholl, rt. hon. sir J.	
Blandford, marq. of	Davis, R. H.	O'Neil, hon. J. R. B.	
Bright, Henry	Dawkins, col. H.	O'Neill, Augustus J.	
Borradaile, R.	Dick, Quintin	Pallmer, C. N.	
Brydges, sir J.	Dick, Hugh		
Buck, Lewis W.	Dickinson, W.		
Burrell, sir C. M.	Domville, sir C.		
Burrell, Walter	Dotin, A. R.		
Buxton, J. J.	Drake, T. T.		

HOUSE OF LORDS.

Monday, March 9.

ROMAN CATHOLIC CLAIMS—PETI-

TIONS FOR AND AGAINST.] Earl Grey rose, to present a Petition, which he felt himself called upon to recommend to their lordships' particular attention. It purported to be the petition of the undersigned Serjeants and Barristers practising at the English Bar in London. It is most numerous and respectably signed, containing almost all the names of persons in eminent practice in London. He was instructed to say, that the law list, which was published annually, contained the names of nine hundred and fifty persons, who had been called to the bar, of whom three hundred were in the country, and consequently had not an opportunity of signing the petition; two hundred more were not in practice. The whole number, therefore, of barristers practising in London was four hundred and fifty, of whom three hundred and twenty-seven had signed the petition. Among the signatures were to be found the names of all the persons of the highest eminence at the bar. He recommended the petition to the particular attention of their lordships; for he was sure they would go with him when he stated, that the body from which the petition emanated was distinguished for its learning and independence. The particular studies of the petitioners had led them to form an acquaintance with the spirit of the laws of the country and with the principles of the constitution; and if the opinions of any body of men were to be taken as an authority, the petition, being signed by persons such as he had described, might satisfy those who apprehended danger from the measure which would soon be recommended to their lordships respecting his majesty's Roman Catholic subjects, that it was not likely to endanger the principles of the constitution. The petitioners were not more enlightened than independent. The present was the third petition which had come from the same body of persons. The first petition from them was presented under the chancellorship of the noble and learned lord (Eldon), and the second since the appointment of the noble and learned lord now on the woolsack. On both occasions, they undoubtedly had no reason to suppose that in signing these petitions they were taking the best means of recommending themselves to preferment. They now, for the third time, came forward with a petition in support of the measure which had been so wisely recom-

mended by his majesty's government to the consideration of parliament, and he again urged their claim to their lordships' attention. He had only to add, that the greatest publicity had been given to the present as well as to the former petitions. It lay for signatures at the bar-room in Westminster-hall, and was signed by three hundred and twenty-seven persons most distinguished in the profession. Many gentlemen of the profession had withheld their signatures, because they thought—he knew not for what reasons—that it was improper for the bar to petition as a body. He had been informed that if a counter-petition were attempted to be got up, it would not be likely to obtain more than twenty signatures.

The Earl of Eldon did not rise for the purpose of opposing the wish expressed by the noble lord, that the petition might be received with attention. On the contrary, he thought it due to the eminent body from which it came, that it should be received with particular attention by their lordships. He knew that there was not a more independent body of men; and he must do them the justice to say, that in reference to such a question as that to which their petition related, he was sure they would not be influenced by any hopes of preferment. If he were to give utterance to any other opinion, he should be doing them dishonour, and himself too. He begged to say, that to each of the petitions which had before come from that respectable body, he had paid particular attention, and had come to the conclusion that, for the sake of the country, their prayer ought not to be complied with; and he had no doubt that their lordships would come to the same conclusion now—at least he hoped so.

The Duke of Newcastle presented petitions against further concessions from Botley, Hampshire. The noble lord said, that the petitioners were particularly anxious to have it understood that they were not infected by the doctrines of a certain political writer who once lived at Botley.

HOUSE OF COMMONS.

Monday, March 9.

ROMAN CATHOLIC CLAIMS—PETITIONS FOR AND AGAINST.] The Sheriffs of London brought to the bar a petition

from the Corporation of London, in favour of the Catholic Claims.

The *Lord Mayor*, in moving that it do lie on the table, hoped he might be permitted to address a few observations to the House, especially as he was officially connected with the petition. The corporation of London had not assembled to express their sentiments upon the great question of Catholic emancipation for a period exceeding twenty years. When they last addressed the House on the subject, they petitioned against any concessions, and he believed he was justified in stating, that they would have been content not to have expressed any opinion on the present occasion, if they had not felt that their silence at this particular period, might have been construed to be an indication of their objection to concessions. They had therefore met, and by a majority of two to one, voted the petition which had just been presented. For his own part, he felt sanguine that the measures introduced by government would have the desirable result which was anticipated from them. He was quite satisfied that the situation of Ireland required the attention of parliament. From observing the agitation which had so long prevailed in that country, and which had so greatly increased during the last year, he had formed the conclusion, that there were but two ways of tranquillizing the people of that country, either by depriving them altogether of the benefits of the constitution and proclaiming martial law, or by taking their grievances into consideration, with a view of remedying them. He was satisfied that the latter course was the proper one to be adopted. If the measures now proposed did not give universal satisfaction to the people of Ireland they would at least satisfy all the sober and thinking part of that people. It had been said, and it would be said again, that emancipation would not procure food, clothing, and education, for the people of Ireland. He knew it would not; but it would form the basis of sound legislation for the people of that country, by which they would be raised to their just level in society. At the same meeting at which the petition was voted, a resolution was also passed, thanking the duke of Wellington and the right hon. Secretary for the Home Department, not only on account of the services which they were at present rendering the country, but also because the corporation

observed a strong disposition, in certain quarters, to impugn the motives of the right hon. gentleman who had propounded the measures of government. The court of Common Council had almost unanimously voted the freedom of the city to the right hon. gentleman.

Mr. Alderman *Wood* said, he was gratified in the extreme, to see the sheriffs of London approach the parliament with such a petition. Having supported Catholic emancipation throughout his life, he had no need to declare his sentiments at the present moment. The petition was a remarkable proof of the change of sentiments among the citizens of London on the subject. The corporation for many years, had supported liberal measures; but he doubted if this had been the case with their constituents. He did not anticipate the carrying the petition by so large a majority. A very small portion of the citizens of London had signed petitions of any sort upon this subject; but they began to see that Catholic emancipation was not so dangerous a bugbear as they had imagined. He trusted that those of his constituents who had objected to him on the ground of his supporting Catholic emancipation, would soon be convinced that their objections were not well founded, as the measure would be attended by none of the evils they had anticipated.

Mr. Alderman *Waithman* said, that the division of two to one took place upon the question of adjournment, and not on the merits of the petition. Had it been on the merits of the petition, the majority would have been much greater. He was an advocate for the right of petitioning; but the weight to be attached to petitions depended on many circumstances;—such as the manner in which they were got up, the number of persons who signed them, and the character of those persons. The great mass of the community were able to form correct opinions on the pressure of taxes, and on some questions which were considered matters of grievance; but he believed that a large number of the signatures to the petitions to that House, on the subject of emancipation, were those of persons who did not understand the subject proposed to them; and that many petitions which purported to come from extensive districts against that measure did not speak the sentiments of any thing like a majority of the inhabitants of those districts. In the parish in which he had

resided for thirty years, a petition was got up, purporting to be that of the clergy, churchwardens, and inhabitants, but it was not got up at any public meeting. The requisition for a meeting was signed by the two curates, and the overseers of the poor, and was addressed to the clergyman and churchwardens. They met, not for the purpose of considering the propriety of petitioning, but to sign a petition; and, to show how far they spoke the sentiments of the inhabitants, the parish contained six thousand two hundred inhabitants, and only four hundred and fifty signed the petition, and of these many were females. The circumstances under which the petition then before the House was agreed to, after full discussion, entitled it to great weight, as speaking the sense of the corporation of London; and the petition itself would send down the name of that corporation with credit to posterity. With respect to the manly avowal of the change of his opinions on this subject, made by the right hon. Secretary for the Home Department, he would say, that whatever might be the opinion of his past conduct on this question, his conduct on the present occasion would send down his name to posterity, as one of the greatest statesmen which had ever adorned his country. He would say also of the duke of Wellington, that though the glory of his many victories were great, the glory of his conduct with respect to this question would be much greater.

Mr. Ward said, he could not refrain from giving his opinion on this occasion; for this was not a moment for any man to withhold the public expression of what he felt, with respect to this great question. He was opposed to the measure of concession, though he gave credit to government for the best intentions, in the measure which they had brought forward; and he hoped that the effects of that measure would be such as they anticipated. The opinions of the body who had presented this petition were entitled to respect; but it should be recollected, that they formed a body consisting of only two hundred or three hundred persons, while the constituent body consisted of fifteen thousand persons. He would only add, that having given his opposition to the principle of the measure upon which the House had pronounced a favourable opinion, he should not offer any interruption to it in the detail.

Sir John Brydges said:—Seeing the hon. member who represents the county of Waterford in his place, I consider this a fit opportunity to ask him if he has redeemed his pledge of inspecting the signatures to a petition from the Protestants of that county, which I had the honour to present to this House on Thursday last; and, if he has done so, to require that he will either confirm the assertion he then made, that the petitioners were “hole-and-corner men,” or will allow that his accusation was unfounded, and do them an act of justice they are entitled to, by acknowledging his error. Sir, if there are any “hole-and-corner men” in the county of Waterford, I will tell the hon. member that this appellation is more appropriate to his supporters, issuing from their priest-ridden cabins, than to those whose respectable names are attached to this petition. I deprecate as much as any man, the waste of time occasioned to this hon. House by altercations of this nature upon the presentation of petitions; but, however I lament it, I feel I should be guilty of a dereliction of my duty towards those honourable persons who have confided their petition to me, if I submitted without remonstrance, and did not indignantly repel the calumnious accusation the hon. member has thought fit to prefer. It may be said, Sir, that it is futile to trouble the House with these observations; but I am of a different opinion. As the accusation is made, I am entitled to have it substantiated or contradicted. Honourable persons have intrusted their petition to me, and I will see justice done to them. If the hon. member preserves silence, I shall consider it an admission that the charge is unfounded.

Mr. Villiers Stuart.—I will not imitate the bad taste of the hon. baronet, in casting reflections on my political opponents. I have examined the petition to which the hon. baronet alludes, and have seen the signatures which are attached to it. At the head of them is the name of my noble opponent at the last election, lord George Beresford, and of several other gentlemen with whom I live on terms of great friendship. I am happy to say that our difference of opinion on political subjects has never made any difference in our private friendship for each other; and yet I must say, that the petition, though it represents the sentiments of lord George Beresford and the Brunswick Club of the county of

Waterford, does not represent the sentiments of the great bulk of the Protestants of that county.

Sir R. H. Inglis said, he was about to present a number of petitions against further concessions to the Catholics, from various places in the neighbourhood of London. He asserted, confidently, that the great majority, not only in point of numbers but of intelligence amongst the people was against the measure [cries of "No!"]. He was sure that that was the case in the larger masses of the people. He did not speak of the majority of intelligence among a number of given individuals, for he did not mean to contend that the most splendid talent had not been exhibited in its favour; but he meant to say that a large proportion of the intelligence of the people of England was against the measure ["No, no!"]. When he was told, that this was disproved by the last appeal to the people, made in 1826, he denied it unequivocally; and he said that, in order to have obtained a fair test of the opinions of the people of England, his majesty ought to have recorded in his Speech, at the close of the last session, his intention of recommending a measure such as that which he had recommended in his Speech at the commencement of this session. He ought to have stated, that his ministers would propose, for the consideration of the next parliament, a measure of this kind, and then the people would have known that the representatives whom they elected to sit in the next parliament would be those to whom they must intrust the decision of this most important question. If such a course had been pursued, and the supporters of the measure had formed a majority, there would have been some reason to talk of the majority of the people being in its favour; but at present he denied that to be the fact. A fairer mode could not now be adopted than that of appealing to the people; and if such an appeal were made, he had no doubt that there would be a large and overwhelming majority against the measure. He had no doubt that if ministers, instead of adopting the course they had pursued by keeping their intentions secret up to the last moment, had stated what they themselves thought, and appealed to the people upon it, they would have obtained such a majority as would have enabled them to have retained their ground, and to have rejected the measure. In justice

to the House he should present all these petitions at once. The first was from St. Mary, Whitechapel, and to that one thousand four hundred and seventy-eight signatures were attached. It was the result of a meeting called in a regular manner; and at that meeting a motion having been made to pass a resolution favourable to the measure, it was rejected by one hundred and seventy to twenty-four. The petition was therefore fairly adopted after a discussion, and signatures to the amount of one thousand four hundred and seventy-eight had since been attached to it. The next petition was from the parish of All Saints, Poplar, with signatures to the amount of one thousand one hundred and eighty-one, all of which had been attached to it within four days, and no person under eighteen years of age had been permitted to sign. He called the attention of the hon. members for London to this petition, because one of them had, the other night, represented that these petitions were unfairly got up, and stigmatized those who had assisted in procuring them. The next petition was from St. Ann's, Blackfriars, signed by four hundred and fifty persons; another from Bridewell Chapel, with ninety-two signatures; another from the Synod of Seceders at Glasgow, signed by eight hundred and seventy persons, and three others signed by one thousand one hundred and thirty-six, by seven hundred and thirty-six, and by four hundred and fifty persons. He had good reason to believe that every one of these petitions had been signed since the Speech had been made from the Throne, stating the intentions of his majesty's ministers. He therefore thought that these Petitions deserved the greatest attention.

Mr. Spring Rice said, he could not refrain from expressing the surprise which he felt at hearing the extraordinary assertion of the hon. member for the University of Oxford, that a great majority of the intelligence and good sense of the people of England was against this question. He should have expected that the hon. baronet, entertaining such sentiments, would have followed them up by proposing some motion of reform, or by making an attack on the manner in which that House was constituted. But no; the hon. baronet was one of those persons who stood up for the excellence of all our institutions, and declared that none of them required reform. Was it for the hon. baronet, then,

in the teeth of that undeniable fact,—the late glorious division on this question,—to state that the feeling of the people of England was diametrically opposed to that of their representatives in the House of Commons, on this question of removing the Catholic disabilities. He did not intend to controvert the assertion, that there were a number of signatures attached to these petitions: he admitted that the hon. baronet had reason for saying, that the people of England, taken *per capita*, were at present averse to Catholic emancipation. But how had that feeling of aversion been excited? Was it a spontaneous feeling on their part, or did it arise from the ignorance and bigotry—he spoke not of gentlemen in that House, but—of persons out of doors, who were anxious to inflame religious animosity? What would the House think of a petition got up in a populous place in this manner? A placard was sent forth to the public, assigning the following reasons for signing a petition against Catholic emancipation:—“Since Catholic emancipation first began, not less than fifty millions of unoffending and innocent persons have become the victims of Papal vengeance. All the tortures that the fiends of hell could invent have been practised—burning, broiling, thumb-screw, rack, pulley, &c: Infants quartered, and their limbs strewed in the highway, their brains dashed out; young girls impaled alive and naked; women and girls have had their breasts cut off, their bowels blown out with gunpowder; the arms, legs, noses, and ears of men have been cut off, and their heads cleft asunder; bodies have been fastened to trees, and their insides torn out; the skins of men stripped off while alive, and nailed to window-frames, &c. Will you, then, tamely yield to such a priesthood as this? If you have any bowels of compassion for your tender offspring, if you have one spark of veneration for your religion or country,—rouse from your slumbers, for the foe is at hand! The man who votes for Catholic emancipation strengthens the strong holds of Popery, is an enemy to God and his country, and little better than a traitor to his King!” Such was the document circulated in the West of England, until it was stopped by the magistrates; and it purported to have been printed at Bath. Was he wrong, then, when he said that arts were resorted to, which hon. members who resisted the mea-

sure now pending would be the first to stigmatise and disavow? But this was not all: in a book lately published on the present state of Italy, and dedicated, by a singular coincidence, to the hon. baronet, the member for the University of Oxford, the author, some exclusive Protestant, had stated, that he found, in one of the towns through which he passed, the following inscription:—“In honorem beatæ et deiparæ Virginis;” which he had thus translated, “In honour of the blessed Virgin coequal with God,” terming it a shocking piece of blasphemy, and saying, that no Protestant could travel in that country without seeing religion constantly insulted by such disgusting inscriptions.

Sir *E. Knatchbull* confessed that the hon. member had accurately described the paper which he had just read to the House; but he could not concur in his assumption, that it was placed upon the walls of Bath by those who wished to oppose these claims. He had certainly no knowledge by whom it was placarded; but if called upon to conjecture, he should say, it must have been exhibited by those who wished to injure the Protestant cause. One word as to the main question. Instead of endeavouring to crush the expression of public opinion, as was now done, why not give the people the opportunity of pronouncing upon this question? Hon. gentlemen had reason to triumph in what they called their “glorious” majority of Friday night; but they would not have such a triumph repeated, if they were sent back to receive the opinion of their constituents upon it. The general impression of the country was in direct contradiction to the voice of that House; and if at that moment, those who were returned as advocates of the Protestant establishment, had remained true to the cause, they would have had a decided majority for their principles.

Mr. *Denison* said, that although this was not the fit opportunity for entering into the general merits of the question, he could not forbear making a few remarks. The hon. member for Oxford had alluded to the election of 1826, when, as he said, the people were deluded by many of their representatives. He could only say, that when he stood for Surrey in 1826, he had stated distinctly at the poll, that he should vote for the Catholic claims, and on that principle he had been returned by a large majority. The hon. baronet had talked of

an appeal to the intelligence of the country; now, on this point he begged to call the attention of the House to a singular document which he held in his hand. After the debate of Friday, he had had occasion to go into the country, and had found that Surrey, by a county meeting, was about to set an example to others, and thus to attempt to intimidate the duke of Wellington and the Home Secretary. In the neighbourhood of the town where the meeting was to be held a number of most inflammatory hand-bills were in the course of distribution. He did not object to the convening of such an assembly; for if the matter were stated fairly, he had no doubt of the result. But, what would the House think of the placard in his possession? Would they consider it an appeal to the good sense and justice of the people? It was entitled "*Queen Mary's Days*," and it was ornamented with nine prints, exhibiting the tortures and burnings in Smithfield and elsewhere in her reign. But the most important circumstance was, the source from whence it emanated. His friends round him, and the right hon. supporters of the measure opposite, could have no notion from whence it came: perhaps the enemies of concession and the hon. baronet, the member for Oxford, might have some faint idea upon the subject, but they would doubtless exclaim, "*non tali auxilio*." At the bottom of the placard were the following words:—"Price two-pence. Printed for the Religious Tract Society, in Paternoster-row." So that this publication came from an Association whose motto ought to be, "*Do unto others as you would they should do unto you*." It must, indeed, be a bad cause, that required defenders, who appealed, not to the intelligence of the country, but to the worst passions of the multitude.

Mr. C. Palmer said, he would not have risen, but for the sort of personal appeal made to him. His hon. colleague did him only justice when he acquitted him of any knowledge of such a publication. The hon. member had said that they were issued to influence a public meeting; but he thought the hon. gentleman would have done better to have waited until that meeting took place, and there to have offered such considerations as might have weight with the people. It was not to be denied that the people were excited. They were justly excited, because they saw what they considered a shameful surrender of the

constitution, aggravated and embittered, if it were possible to aggravate and embitter it, by what the right hon. secretary had gravely called securities.

Lord Althorp said, that his hon. friend, at the election in 1826, had openly and fairly stated to his constituents the vote he intended to give on the Catholic question. He wished to know whether the other hon. member for Surrey had pursued an equally straight forward and manly course?

Mr. C. Palmer said, that at the election in 1826 he had not made up his mind upon the subject, and he had therefore disdained to give a pledge, although if he had chosen to do so he might have obtained double the number of votes. If it were to be imputed as a disgrace to members, that they did not on all subjects engage with their constituents to vote a particular way, he begged to ask, whether the House of Commons was a deliberative Assembly?

Dr. Lushington said, that the hon. member appeared to have made an extraordinary discovery. He had at length found out, that it was unnecessary for him to open his mouth before his constituents, because he should afterwards have to speak in the House of Commons. And he seemed to think it proper to have disguised his genuine sentiments at the time of his election, lest any premature declaration of opinion should embarrass him at a future time, in his place in parliament. It was quite clear, at all events, that he had disguised his sentiments from the electors of Surrey, at the moment his hon. colleague was avowing them upon this important subject. And this, too, not on any new question, but upon one which had been for twenty years discussed by every body, in pamphlets and debates, so that little or no fresh light could be thrown upon it. It was on this question that he withheld his sentiments, while, on the East India question, he pledged himself to give his constituents all the benefit of his learning and talents. One word in answer to the hon. member for Oxford. He might, and no doubt would, make an admirable representative for the University; but he had assumed to himself an office for which he was not equally well qualified—that of a confidential adviser of the Crown: his advice was, that parliament should forthwith be dissolved, and that the Catholic question should be made a matter

of discussion and contest at a general election. Did the hon. baronet recollect the year 1807, when the "No-Popery" cry was raised, and the most violent outrages committed? For himself, he should never forget what had then occurred, and with good reason; he was at that time candidate for Great Yarmouth, and he was seized by the anti-Catholic mob, which attempted to throw him into the river. Scenes like that should never occur again. For one he would say, that if ministers were guilty of the imprudence of taking the advice of the hon. baronet, they would deserve impeachment. He wished also, in answer to what had been stated about the intelligence of the country, to mention, as he was authorised to do by a most respectable and influential member of the Society of Friends, that the great majority of that body, formerly considered so hostile to the Catholic claims, were now decidedly favourable to concession.—The individual from whom he had obtained this intelligence was well known to the Secretary for the Home Department. He looked upon this fact as one of the most striking triumphs of knowledge and reason over strong feeling and prejudice.

Mr. O'Neill wished to put only one question to the hon. and learned member. As he had strongly characterised those who did not give pledges at elections, he begged to know what terms the hon. and learned gentleman would employ to characterise those who having given pledges to their constituents, had violated them.

Sir H. Smyth remarked, that after the recent conversions it was idle to talk of pledges. If pledges had been realised, the minority of Friday would have been a majority.

Sir R. H. Inglis said, that his sole object was, to have the voice of the country fairly and properly collected, before parliament legislated upon this question. If this course were taken, he was quite satisfied the majority would be on the opposite side from that at which it was at present. In allusion to what had fallen from the hon. and learned gentleman, he begged to say, that his reference was not to the year 1807, but to 1784, when, after a dissolution of parliament, the India bill which Mr. Fox was previously bent upon carrying, was thrown out by a large majority. As to what had fallen from an hon. gentleman, respecting the book upon Italy, he thought it rather hard to be made

responsible for the contents of a book which was merely dedicated to him. As the particular passage had, however, been mentioned, he thought it right to explain, that the moment he discovered the error, he had the sheet suppressed in which it appeared.

Sir J. Astley had to present a petition against concession, signed by upwards of five thousand freeholders and others of Wilts. He had ascertained, that no undue influence was used in obtaining signatures to it. The petitioners thought as he did, that the principles of the Catholic Church remained unchanged, and were at variance with those of the British constitution. He wished that these objectionable measures had not been brought forward. He imputed culpable negligence to ministers for having permitted the Catholic Association to prolong its system of agitation, until it set the country in a flame. If that body had been promptly put down, peace would have followed, and these inroads upon the constitution had become unnecessary. A different course had been pursued; and he was not so sanguine as the petitioners, in thinking that it was possible to prevent the execution of the intention of government. The alarming majority of the other night must be considered as decisive upon that point.

Mr. Bennett expressed his cordial approbation of the course taken by ministers, which was, he was convinced, the best calculated, not only to uphold the Protestant establishment, but to give peace and tranquillity to the kingdom. No praise could be too high for the duke of Wellington, and the right hon. gentleman who had had the firmness to persevere in the settlement of this question.

Mr. Bankes had fourteen petitions to present from different parishes of Dorsetshire. Indeed, there were so many petitions, that it was hardly likely they could come to the business of the day, until the House was nearly exhausted. He wished therefore, on his own part, and on the part of those with whom he acted as to this measure, to state, that they had no intention of debating the bill, or dividing upon it that night; and he suggested, therefore, that more time might be allowed for presenting petitions. It was his intention, and that of his friends, to have a division on the second reading, and at every subsequent stage of the bill. The whole country was desirous to know what

were its provisions, and the sooner it was printed the better, in order that the people might form their opinions upon it.

Sir *E. Knatchbull* said, that although there existed throughout the country a most intense anxiety on the subject of the proposed concessions to the Catholics, he had no objection to assent to the present arrangement. But at the same time he begged, on his own part, to observe that, in doing so, he was not to be understood as foregoing any one of his rights to assert and maintain his already declared opinions; and further, to state his full conviction, that no opportunity should be lost of presenting to the measure of his majesty's government the most decided resistance. If any such opportunity were lost, the opinion might go forth that all hope was at an end, and that exertions on the part of the people were useless. To propagate that opinion, would be a most mischievous delusion, and it was to guard against its going forth that he then rose.

Mr. Secretary *Peel* entirely acquiesced in the propriety of the arrangement proposed by the hon. gentleman, which he confessed he considered likely to be much more convenient to all parties than the adoption of an opposite course, and also likely to conduce to a proper understanding of the measure to which the House was called upon to consent. It was perfectly clear, that a waiver of discussion in the present stage of the bill, could not be taken as concluding the ultimate opinion of any person. It was a mere declaration, that there should be an opportunity without further division, of having the bill introduced and printed, with a view to its being better understood. They would thus admit the introduction of the measure, which was to be discussed on the second reading; that was all. For his part, he was disposed to give every latitude to the presentation of petitions. He was as little averse from discussion. On this occasion he had every confidence in the declaration of the hon. member for Dorset, and was ready to believe, that however late the period of the night, or however small the attendance of members in the House when he should bring the subject forward, no objection would be offered to his reporting the resolutions, bringing in the bill, and moving that it be read a first time and printed. He wished, however, that it should be distinctly understood that such was to be the case.

Sir *E. Knatchbull* observed, that there could be no misunderstanding upon the point, and repeated, that in adopting the course now suggested, he and hon. members upon his side, did not waive their right to oppose the measure on future opportunities.

Mr. Secretary *Peel* reposed entire confidence in the assurance of the hon. member, but he wished that there should be an understanding that it was the general opinion of the House.

Mr. *W. Horton* rose only to state that he had abstained, in the discussions that had taken place, from adverting to some observations that had fallen from his right hon. friend. He was most unwilling to interrupt the discussion of this great question by any considerations of a personal nature: but he would take an early opportunity of delivering his sentiments upon the subject.

Mr. *Moore* agreed to the proposal, but wished it to be understood, that in according to this arrangement, he acted not with a view of intentionally omitting every legitimate opportunity of opposing the measure, but was merely actuated by a desire to consult the convenience of the House. He must say that a week was not sufficient time to allow between the first and second reading of the bill. To night the bill was to be read a first time; it could not be printed before to-morrow: it would then have to be circulated through the country. Was it not fair that the feelings of persons residing in remote parts of the empire should be consulted, and that an opportunity should be afforded them to judge of the details of this measure, and express their opinions on the subject to parliament? Was it not desirable, he asked, to give the country the fullest time and opportunities to examine the bill?—The more desirable, as it was proposed that the measure should proceed through its various stages, exactly in that part of the year when many hon. gentlemen were scattered throughout the country? The present was the course the least calculated to collect the sense of the country at large upon the subject. He suggested the utility of fixing the second reading of the bill at such a time as would not arrive until after the circuits were over. The reason why he proposed to do so, was in order to enable the representatives of distant, but populous places, to consult the sentiments of their constituents on

the subject of the bill, and the securities which it offered. The delay would prove particularly convenient to gentlemen of the legal profession.

Colonel *Davies* said, he felt the utmost anxiety that free expression should be given to the popular voice upon this and all other subjects, but he must protest against the doctrine laid down by the learned member for Dublin—a doctrine which, if correct, reduced the House of Commons to the situation of a mere body of delegates, without any opinion of its own. If hon. members were content to give up their privilege of deciding upon matters of state policy, they were unworthy to be representatives of the people. Did the learned gentleman mean to say, that the proceedings of parliament were to be suspended, until the opinion of every populous place had been taken upon the subject? After the ample discussions that had taken place, and the allusions to the state of Ireland, in his majesty's Speech at the commencement of the session, it could not be pretended that insufficient time was allowed for the voice of the people to be heard. He was far from being opposed to an expression of the popular sentiment; but, after all, it was in parliament that the matter must be discussed and determined.

Mr. *Maberly* asked, what was the use of granting further time, except to give the opponents of the measure additional opportunities of inflaming the minds of the people. The learned member for Dublin ought to have known better than to have made such a proposition, after the large majority that decided against him. He protested he had witnessed a less share of talent and ingenuity displayed by the persons who constituted the minority of one hundred and sixty the other night, than he had ever before observed among an equal number of persons in that House. Not one of that minority had a single remedy to propose for the disease. The hon. member for Norwich did, indeed, recommend a dissolution of parliament; but the hon. member appeared to forget that from Ireland we should have ninety members out of the hundred, favourable to the measure in the event of a general election! What advantage could the hon. member derive from this?

Mr. *G. Bankes* demanded, on behalf of the country, that further time should be allowed before the next important step on

which a division could be taken, was adopted. The right hon. Secretary, in his reply on Friday, had observed with reference to the subject of time, that the matter had already been known to the public for the period of a month; and he had therefore inferred, that a week, in addition to the time already elapsed, would be sufficient to collect the remainder of the sense of the country, of which we had had so strong an earnest. But, in fact, the period of a month, which had elapsed since the meeting of parliament, was lost to the public; for by the speeches of persons in the secret, and by the inferences drawn from those speeches, as to the nature of the intended measures, the country was kept in a state of delusion; and so far from obtaining correct information on the subject, it was deceived. It was impossible for any man not in the secret to be led to suppose, by the declarations of those in authority, that a bill such as this was to be introduced. A new light being now cast upon the subject, those persons who had petitioned before would petition again; and in numbers, if he were not mistaken, very much increased. Under such circumstances, he did not think it too much to ask, that a longer period than one week should be allowed to intervene before they were again called upon for an expression of their sentiments on the subject.

General *Gascoyne* asked the right hon. Secretary, whether it was his intention to move for a select committee to carry into effect the recommendation contained in his majesty's Speech, on the subject of an inquiry into the whole state of Ireland? That was the recommendation of his majesty; namely, that as soon as the Catholic Association should be put down, a deliberate inquiry should be instituted into the state of Ireland. It was perfectly true that until the royal assent was given to the bill for putting down the Association, it would have been premature to set that inquiry on foot. But as that had now been done, they ought, in his opinion, to appoint a committee to prosecute the inquiry in question; and what he wished to know from the right hon. gentleman was, whether he intended to propose a committee for that purpose?

Mr. Secretary *Peel* said, he must, in the first instance, express his surprise that his hon. friend should require more details concerning a question which had

been so fully considered. He had rather understood his hon. friend to say the other evening, that the facts he (Mr. Peel) had stated, were so perfectly notorious, that it was unnecessary to confirm them by any official account. Surely his hon. friend could never have expected that his majesty's ministers should propose this question to a Select Committee, of all others. Besides, in 1825, the House of Commons had appointed a Committee for the purpose of considering every question relating to the state of Ireland, with the view to settle the Catholic question; but it was expressly excluded from the consideration of a Select Committee, because it was felt, that the investigation of a question like that of extreme constitutional importance, could only be safely done by the whole House. On three preceding occasions, the House had passed bills to effect the object which this bill was intended to accomplish; but it had never yet been proposed to suspend the proceedings, in order to refer the question to a Select Committee. The House had never thought of transferring a matter of such immense moment to a Select Committee. If the word "consideration" was used, it meant, that the consideration should be by the whole House; and he had fulfilled the intentions of his majesty in bringing forward the bill for giving effect to the royal recommendation.

Lord *Milton* thought, that no good case had been made out for any delay in the progress of the measure. He begged to recal to the memory of the gallant general that the first measure of the present session was to pass a bill to put down the Catholic Association, and very many members, of whom he was one, thought it an act of great severity against that Association. For his own part, and for a great number of other members, he could say, that they would never have acquiesced, in a passive manner, in that measure, if they had not understood that, on the earliest opportunity, the House would go into the consideration of the laws imposing Civil Disabilities on the Roman Catholics, with the view of repealing them.

Lord *Tullamore* said, that on the 3rd of March he understood the Catholic Association had re-assembled, and that the Catholic rent was regularly collected as usual.

Mr. *Maurice Fitzgerald* said, it was proposed to make a considerable addition to

the time that should elapse between the introduction of the bill and the second reading, in order to enable parties who had already petitioned the House on the subject to re-present their petitions. Now, he believed if further time were allowed, that not only would it be impossible to procure any considerable accession to the number of petitions already presented, but that it would be impossible to add to the violence already exhibited by the opponents of the measure. Indeed, a revolution might take place, and so far from people being disposed to exert themselves more warmly against the bill, the learned member for Dublin might find them daily less and less disposed to concur with him. The gallant general also proposed, that further time should be given, and suggested the propriety of appointing a select committee to take the subject into consideration. Now, of all the questions requiring time for consideration, it was most extraordinary if this should be one: for the universal complaint was, that no subject but this one had so entirely occupied the time of parliament. They had been considering it for the last thirty years; and if the gallant general required further time, it must be in order to enable, not the public, but himself, to consider and understand the question. Yet he fully believed that it was the firm determination of the gallant general never to consider the subject at all, and that he was no more serious in this than some other hon. members had been in requiring the parliament to be dissolved. As to a dissolution of parliament, that might not affect the gallant general in the same manner as it would other hon. members. The gallant general was, perhaps, almost the only member whom, under similar circumstances, his constituents returned free of expense. It was therefore very considerate of the gallant general to send other members, not so much favoured by their constituents to a general election. The noble lord who spoke last talked of the re-assembling of the Catholic Association. If so, it was no longer a subject of debate—an act of parliament had been passed on the subject: the House was relieved from all further responsibility. If there really were any remaining irritation in Ireland, it would be extraordinary for the House, after passing an act of a highly penal nature, to delay the progress of a measure which was to run *pari passu* with that. Was this the way

to alleviate discontent? If he thought that any time that could be granted would enable the gallant general to consider the question with calmness and temper, he might admit that as an argument for delay, which certainly was a great desideratum. What was the temper and spirit in which the question had been dealt with? Had it been taken up with calmness and temperance, as his majesty untreated that it might be? On the contrary, had it not been treated with a degree of fury and faction unexampled in the history of the country, calculated—he might say intended—to excite men to a height of popular violence, such as had never before been excited upon any subject, by the efforts of any party in the country? Thus had the opponents of concession acted. Not so its advocates: not so his majesty's ministers. He believed their purpose was, that the deliberate sense of parliament should be taken upon this great question; and if that deliberate sense were taken, he did not fear the issue.

Mr. *Trant* observed, that the proposal made by the learned member for delay, was objected to, as if a similar postponement had never before taken place. Now, the House would recollect, that last year the hon. member for Preston had actually compelled the chancellor of the Exchequer to postpone his bill relative to the building of churches, on the ground that sufficient time had not been allowed for the full consideration of the measure by the country. The member for Preston then said, that if the right hon. gentleman persisted in appealing to the *ultima ratio*—a majority of the House—in support of the bill, he would move repeated adjournments, and frustrate the right hon. gentleman's intention. He hoped that hon. members, if the right hon. Secretary did not assent to the postponement, would act with equal determination upon the present occasion, not for factious, but in order to effect constitutional purposes. For himself he could only say, that he would, whenever an opportunity occurred, rise in his place, and assert that members were not sent there merely to register the decrees of his grace the duke of Wellington, but to exercise a free and unbiassed judgment upon matters of state concernment. He felt it to be his duty to demand that the people of this country should have time allowed them to express their sentiments, and present petitions to parliament upon

any question; much more upon a measure of such overwhelming importance as this. Had the time and opportunity for doing this been allowed, in the present instance? No such thing. What was the argument urged by ministers to the opponents of this measure, when they first raised their voices against it? "You are a foolish opposition, you know not what you oppose." What was the reply to the people of England when they petitioned? "You are foolish people, and don't know what the measure is." A measure of so much importance was not to be rammed down their throats without their being permitted to have an opportunity of eliciting the real sense of the country through the medium of petitions from all parts.

Sir *R. H. Inglis* thought, that the request which had been made to the government was not by any means unreasonable. When the hon. baronet, the member for Westminster brought forward his measure in favour of the Catholics, in 1825, the interval that was granted was from a day in March to the 19th of April; and surely when the measure was to be brought forward with all the influence that government could give it, and, above all, when there was so strong a feeling of confidence in the triumphant majority with which the bill was to be carried, it was surely not too much to ask, that there should be some small delay granted. He was quite sure that it would not be thought necessary to hurry the present bill more rapidly through the House, than those of a similar nature brought forward in the years 1813 and 1825, and in both of which a longer period had been allowed. He begged leave, therefore, to press upon the right hon. Secretary, and upon the House, the propriety and necessity of giving a greater space of time for the discussion of such a question. If they were only to be allowed the time that was already fixed by the right hon. gentleman, it would scarcely be sufficient to allow of the printing and circulating of the bill—much less of its reaching Ireland, where it was looked for with so much anxiety. He therefore, contended that both the House and the country had a right to require more time.

Mr. Secretary *Peel* said, that if the proposed delay were for the general convenience of the House, he should have no objection to alter his arrangement [Cries of "no, no!" mixed with "hear, hear!"]. At all events, he was quite ready to answer the

appeal that had been made to him. He had always, from the very commencement of the measure, proposed to leave one week between the introduction of the bill and its second reading; and he thought that this was a very ample allowance of time; after the preparation which his majesty's Speech must have given the country on the subject; for it was impossible that, after that period, the country could have remained ignorant of the main features of the measure. It had been stated in the course of the evening, that they ought to wait until the law against the Association had been carried into execution; but if they were to do so, he would take leave to say, that they would not be in consonance with the Speech from the Throne. The Speech merely recommended that power should be given to his majesty, to maintain his just authority: that power had been given by the act which had just passed, and therefore, in perfect conformity with the Speech, they were at liberty to take the measure into consideration immediately. The only question that he could see, was the grand question that arose on the principle of the bill. He had already declared fully and openly, that that principle was expressly to give relief to the Catholics. Of that declaration, the House would have been in possession for more than a week before the second reading would come on; and they would, therefore, be fully able to form their judgment upon it, and on the general purport of the bill. If there were any suggestions to be made, the best time for making them would be in the committee; and whether it was for the purpose of proposing new exceptions, or fresh securities, there would be adequate time afforded at that period. On whatever day he brought forward the measure—whether on that evening or the following—he should think it right to give an interval of an entire week; but further time than that, he thought, there could be no necessity for: It was possible that he might not be able to bring the bill forward that evening; in which case he should do it on the following.

Lord *Howick* said, he did not know exactly in what spirit hon. gentlemen were seeking for this delay; but he was quite sure it must be in the recollection of the House, that the hon. member for Dorsetshire, on the first night of the session, had observed that the word "consideration"

clearly meant concession. That was also, he believed, the general understanding of the country, as soon as the king's Speech was made known; and surely one month was quite sufficient to collect the sense of the country. Did hon. members mean to contend that they were to consult every parish, district, hundred, and county in the country, upon all the different details of the bill? Was that House a deliberative assembly, or was it not? If it was, surely the examination of the details of the measure was their department, and it would be useless to take the sense of the country on that head. He was not one of those who objected to petitions—far from it; but he thought that the hon. gentlemen who were opposed to the measure might have allowed the business to have come on in its proper course that night, and have taken another opportunity of presenting their petitions.

The Marquis of *Chandos* thought, that hon. gentlemen, in asking for delay, were performing their duty towards the country, as much as the noble lord who had just sat down. For his own part, he went along with the learned member for Dublin in wishing for a pause; though he could assure the House that he did not propose it with any factious object.

Lord *Castlereagh* observed that, after what had appeared in our streets and highways, as well as in that House, it was obvious that the only wish for delay was in order to raise the country. As an Irishman, he humbly begged the right hon. gentleman to proceed. This was not a bill for the building of churches: it was a bill for the pacification of Ireland; and he therefore hoped that the government would remain firm.

Lord *F. L. Gower* thought, that the point of delay was urged the more strongly, because it made a specious argument to address to the people. But how could it be pretended that the House was taken by surprise on the subject, when the hon. member for Dover had himself stated, that the question had been under discussion for the last thirty years? If the desire to take the sense of the country had come from gentlemen who had always advocated universal suffrage, or any thing like it, he would at least have given them credit for sincerity, and thought their remonstrances free from the suspicion and distrust with which he now received them; or if the question had been of any novelty, he

would have admitted that there was some shew of reason in the request of delay. But this was not the case. Honourable gentlemen said, "We have listened for thirty years to arguments that we are unable to answer; that office we have left to one or two advocates; and now we are deprived of them, we want time to think about what we shall do." Or, in other words, they said, "Up to this time we have been inside passengers, with our night-caps drawn over our eyes; and now that those who are conducting the State Carriage have found out the danger, we are willing to be let out, in order that we may disturb the people." It was only once that he had heard any thing like a proposal made by those who were opposed to the Catholics to meet the difficulty, and that was, to appeal to the people and to dissolve the parliament; which, he contended, would afford no remedy for the disease. It, however, came with consistency from those who were unable to meet the arguments that were used, or the history that was cited, and made up the deficiency by appealing to the passions of the people; to whom the merits of the question might as well be addressed, as the most oporose and abstract theory in mathematics.

Lord *E. Somerset* presented petitions against concession from the deanery of Stonehouse, from Winchcomb and several other places. He had hitherto voted against any further concessions to the Catholics; but when he considered the state of Ireland, he could not withhold his assent from the proposition of his right hon. friend, in whom, and in the noble duke at the head of the government, he reposed the firmest confidence. He thought that concession should be no longer refused, demanded as it was by the united voice of the country; though he was fully aware that the question was one of necessity, or rather of a choice between evils. He considered concession to be, under the present circumstances, an evil less than persisting in exclusion, accompanied as it was, by the suppression of the Catholic Association, and the abolition of the forty-shilling franchise.

Lord *Rancliffe*, in presenting a petition from Nottingham in favour of concession, expressed his pleasure at the prospect of a final settlement of this question, and observed, that although a petition had been got up in Nottingham against the claims

of the Catholics; he believed the opinions of the great majority of the inhabitants to be decidedly in their favour. The petition against emancipation had, in six weeks, received only two thousand signatures; while the petition in favour of the Catholics had obtained four thousand five hundred and fifty signatures in as many days.

Admiral *Sotheron* said, he had been informed, that the petition in favour of emancipation was signed by children, and by persons who were confined in the Lunatic Asylum. This information he had received from a gentleman who was the medical attendant of that Asylum.

Lord *Rancliffe* said, the gallant admiral had not made out a very good case, seeing that the only person he brought against the petition was the inmate of a Lunatic Asylum.

Admiral *Sotheron* said, the individual to whom he alluded was a highly respectable gentleman, and not an inmate of the Asylum.

Lord *Rancliffe* observed, that if that gentleman was not the inmate of the asylum, he wished most heartily that he had been so; for that same gentleman, and a pot companion of his, had got up the opposition to his return at the last election.

Lord *Mountcharles* presented petitions in favour of emancipation, from the Catholics of the county Donegal, and Cavan.

Mr. *Saunderson* said, that these petitions had been sent about the county by the Catholic Association, and had been signed by the people at the command of their priests, and in perfect ignorance of their objects. He had hitherto opposed emancipation, and he would explain the reasons that had now induced him to abandon that opposition. If the Catholic Association had petitioned for it, he would have opposed it; or if the measure had been brought forward by the gentlemen opposite, he would have voted against it; but as it had been now recommended by the government, he would support it. He had voted in its favour on Friday, and he would continue his support of the measure during its future stages, upon the condition, that the forty-shilling freeholders would be disfranchised.

Mr. *C. Pallmer* presented petitions from Guilford and four other places in Surrey against further concessions to the Catholics. He expressed his full concur-

rence in the petitioners' prayer; and he did so because he believed the bill would prove destructive to the constitution. He contended that the people had not been afforded an opportunity of declaring their sentiments upon the measure. Not one week would have elapsed between the declaration of the nature of that measure and the introduction of the bill by which it was intended to carry it into effect.

Mr. *Baring* deprecated the system which had of late been pursued, of introducing a debate upon every petition, and of repeating, over and over again, not arguments connected with the question, but a series of unsupported assertions. They were told that the policy now adopted by ministers would have the effect of breaking down the constitution, and that those who favoured that policy were assisting in producing that effect. Now, that certainly was not the fair and candid mode of treating the question; and he thought the hon. member who made the assertion ought to adduce his proofs. The hon. member who spoke last represented a county, containing a great number of independent and liberal-minded men, whose opinions were opposed to the hon. member on this question, and he begged leave to tell the hon. member, that he never would have represented that county, if he had not been assisted by those very persons whom he now traduced, as wishing to break down the constitution. He denied that the people had only been allowed a week to consider the subject. The Speech from the throne, on the first day of the session, put them in possession of the intention of ministers; and there would still be considerable time afforded them for expressing their sentiments, while the bill went through its different stages.

Mr. *Maberly* said, that as the hon. member for Surrey had stated that the measure would break down the constitution, he ought to assign his reasons for coming to such a conclusion. He did not know how the hon. member could conceal this fact from himself—that government could not put down the Catholic Association without granting concession. It was very singular that the hon. member did not attempt to point out any other remedy for those evils which that measure was intended to cure. As a lover of the constitution, he called on the hon. member for a remedy more secure, and more free from objection, than the one proposed.

Alderman *Wood* said, that if the hon. member had at the time of his election, avowed the illiberal principles which he now professed, he would not have met with that successful reception throughout the county, which had seated him in that House.

Sir *R. Fergusson* observed, that the inflammatory speech of the hon. member went hand in hand with certain inflammatory placards, which were circulated throughout Surrey. Some of them were ornamented with cuts, and described what were denominated nine of the acts of bloody Mary. The writer declared, that such scenes would be again enacted, if the measure of concession—a measure that, in his opinion, would do more good than any measure which had been entertained this century—were carried. He would ask, whether the hon. member, or any other hon. gentleman, had subscribed to defray the expense of these placards?

The Earl of *Uxbridge*, in answer to the question put by the hon. member for Abingdon, as to whether the Catholic Association could be put down without concession, said he had no hesitation in declaring his conviction, that the Lord-lieutenant could have put that Association down in four and twenty hours, if directed to do so. He did not conceive that the speech of the hon. member for Surrey was inflammatory.

Mr. *C. Palmer* observed, in answer to an observation of the hon. alderman, that it was in the recollection of his hon. colleague, that, after having refused to give any pledge, he ultimately, on being asked at his election, what his impression was upon this subject, replied, "My impressions are, that if this question is brought forward, I shall vote decidedly against it." In answer to the question put to him by the hon. member for Abingdon, he would merely observe, that he had not said that this measure would break down the constitution, but that time should be given to consider a proposition which the minister of the Crown, who introduced it, admitted to be a breaking, in upon the constitution.

Mr. *Denison* said, he perfectly well recollected that, on the last day of the election, before the pole closed, his hon. colleague being pressed as to the vote he would give on this point, declared that he would vote against it. With respect to the petition from Guildford, it did not speak the sense of the inhabitants of that

town. The Town-hall was refused to the gentlemen who got up the petition, and the parties assembled at the Methodist chapel.

Mr. *C. B. Wall* said, he could state, in addition to what had been said by the hon. member, that the petition had been signed by only two hundred persons, one hundred of whom were Dissenters; whereas the population of Guildford amounted to three thousand.

ROMAN CATHOLIC CLAIMS.] The resolution of the committee of the whole House; viz,—“That it is expedient to provide for the repeal of the laws which impose Civil Disabilities upon the Roman Catholic Subjects of His Majesty, with such exceptions, and under such regulations, as may be required for the full and permanent security of the Establishments in Church and State, for the maintenance of the Reformed Religion established by law, and of the Rights and Privileges of the Bishops and of the Clergy of this Realm, and of the Churches committed to their charge.”—was reported.

Mr. *R. Palmer* said, that not having had an opportunity of expressing his sentiments respecting the proposed measures, he begged leave to express his conviction, that no other course could be now pursued. He had, however, observed that certain persons out of doors, who had been active agitators among the Catholics, had expressed their determination to accept of nothing short of unconditional emancipation. He begged, therefore, to be understood as not pledging himself to support the bills.

The report was agreed to, and Mr. Secretary Peel obtained leave to bring in a bill in conformity therewith; and also a bill for the Regulation of the Elective Franchise in Ireland.

HOUSE OF LORDS.

Tuesday, March 10.

ROMAN CATHOLIC CLAIMS.—PETITIONS FOR AND AGAINST.] The Bishop of Bath and Wells presented a petition against the Catholic claims, from the archdeacon and clergy of Bath.

Lord *King* wished to say, that the petition just presented was not very numerously signed. It had been carried about, he was informed, by the clergymen, from house to house, and had been signed by

all the parish paupers, and also by the parish officers.

The Bishop of *Bath and Wells* said, he had been informed by the gentlemen who had brought the petition to him, that it was signed by a great majority of the parish.

The Bishop of *Gloucester* said, he would take the present opportunity of making a few remarks, in justice to a very respectable individual, and a very respectable body of men, whom the noble baron opposite had, the other evening, arraigned before the House, when he had the honour of presenting a petition from the Fellows of Eton College. The noble lord upon that occasion, had read to their lordships what he called an extract of a sermon delivered in a chapel belonging to the college, by one of the fellows. He had expressed an opinion at the time that the extract read was not a correct one—an opinion in which, of course, the noble lord did not coincide. He would take the liberty of reading the extract with which the noble lord had furnished him. “Roman Catholic principles are fast creeping in, ruinous both in Church and State. Stand ye up, then, my brethren, in defence of the principles which the Church professes, but which are opposed by the present government.” He should have thought that the form and structure of these sentences might have convinced any one of the least reflection, who was not blinded by the most inveterate prejudices, that they were rather the bungling work of a school-boy, than the composition of a clergyman advanced in years and long conversant in the duties of his profession. He now begged leave to read an extract from the sermon as really delivered. The text was taken from Proverbs, 9th verse, chap. 14. The clergyman, after stating that it was Christianity which above all promotes righteousness, and after setting forth its principles and advantages, concluded with the following words, to which alone the remarks made by the noble lord could apply:—“Such is the religion which our Church professes, and which our government upholds, which is calculated to exalt the prosperity of the nation in general, and the happiness of individuals in particular. Let no temptation withdraw us from it; let no fear risk its sanctity; but stand ye up, my brethren, and in the name of the prophet of the lord, seek and ask for the old path, where is the good way,

and walk therein. For be well assured, that the Christian religion, as left us by our forefathers, pure and unadulterated, is the best of blessings bestowed on us by the gracious hand of God; but mixed with the corruption of the Romish faith, it becomes an intolerant and dangerous superstition, and, so far from exalting the nation, if suffered to predominate, will not only be the reproach, but the ruin of any people." Such were the words, as delivered from the pulpit, and of which the noble lord had favoured the House with his notable version. The noble lord had told us, that the clergyman said—"Stand ye up, my brethren, in the defence of those principles which our Church professes; but which are opposed by our present government"—instead of which his real words were, "such is the religion which our Church professes, and which our government upholds." The very same language had been used by our reformers, when they purged this country from the errors of the Romish faith, and brought back the inhabitants to "seek for and walk in the old paths." He had now explained the difference between the version of the noble lord, and the original language used by the clergyman; and he was astonished that any noble lord should have come down to the House and entertained their lordships with such idle trumpery. He had no doubt that the noble lord thought his information correct; but the noble lord and himself had been many years school-fellows together, and he might have recollected, that school-boys had ready wits, and were fond of raising a laugh against their master and the fellows of the college. The noble lord might have recollected that his young friends must have been aware for whose taste they were catering, and he might have suspected that the morsel was served up in the manner most agreeable to his palate. For himself he found no fault with these beardless politicians, but he could not so easily excuse the veteran politician. It was not worthy of the noble lord to censure a respectable individual, and a respectable body of men, on such information. The noble lord had shown a most egregious credulity, for which he could not account, except by supposing it to be the consequence of the most inveterate prejudice, or of the eagerness with which the noble lord seized upon every scrap and morsel which could tell against those petitioners who differed

from himself on the Catholic question. He had thought proper to say thus much in justice to a body of men of the highest respectability with whom he had been connected above forty-six years.

Lord King said, that the right reverend prelate did him but justice, in supposing that unless he thought the extract a true one, he would not have noticed it. He had it from what he conceived to be good authority. When he looked at the version given by the right rev. prelate, he did think that there was quite as much of politics as of religious instruction in the sermon. Let their lordships reflect upon the political heat which was now inflaming the nation—let them consider, that the sermon must allude to the question under discussion, and then let them consider to what description of persons it was exclusively directed, and he was sure they would coincide with him in thinking, that there was quite as much politics as religious instruction in the sermon. The right rev. prelate had been pleased to contrast the veteran politician with the beardless politician. He wished the right rev. prelate had looked to the petitions presented to the House, and he would have found, that the greater part of them had been signed by beardless politicians, who had not yet left their schools [cries of "No"]. He was glad to hear from the right rev. prelate that the clergy had discovered one error into which they had fallen. They declared now that their religion was upheld by the government, though they had told us before, that their religion was deserted by the government. He only wished that their lordships had heard the petition, to which the right rev. prelate had alluded, read. He thought he had quite as much fault to find with the petition as with the sermon, for a more balderdash piece of English he had never seen put together. They would have done much better to have veiled their notions under the obscurity of the learned language, than expose them in the English tongue.

The Bishop of *Norwich* said, he held in his hand a petition in favour of the Roman Catholic Claims, signed by a very considerable number of highly respectable clergymen resident in the diocese of *Norwich*, whose attachment to the civil and ecclesiastical establishments of this country was as cordial as that professed by their opponents on this question. The petitioners could not bring themselves to

think that the real security of the Christian church could be endangered by acting on Christian principles, or that the safety of any civil government on the face of the earth could be hazarded by uniting in good-will and fellowship persons of all denominations and persuasions. In that opinion he cordially concurred; but it was not now his wish to trouble their lordships with his reasons for doing so, because the question had been so repeatedly discussed, that it would require little less than inspiration to suggest a new reading, or to treat with an air of novelty the old one. He would, however, earnestly entreat their lordships' attention for one moment to a very short extract from the writings of a man of the last century—a man, who for piety and learning, for moderation and practical wisdom, had never been surpassed by the living or the dead: he alluded to bishop Burnet. That excellent prelate, in a charge to his clergy, had the following passage, which appeared to him so peculiarly applicable to what was now taking place, that their lordships would, he trusted, allow him to read it:—"Many opportunities," said bishop Burnet, "have happened since the Reformation, favourable to putting an end to our disputes; but if we again repeat our former errors, and let the opportunities slip away—if the church of England will hearken to the persuasions of sour and narrow-minded men—it will be abandoned both by God and man, and will set both heaven and earth against it." Those were the words delivered by the bishop to the clergy of his diocese, in order to point out to them that line of conduct which he thought it their duty to pursue, with respect to the Protestant dissenters of that time. The very same advice was now, in his judgment, applicable to those of the established church who opposed with ill-directed zeal any further concessions to their Roman Catholic fellow-subjects, or in other words, who sought to continue those unwise, unjust, and persecuting disabilities and penalties which had been for so long a period the reproach and disgrace of the age in which we lived.

The Duke of *Sussex* rose, to state a circumstance respecting the petition just presented, which the right rev. prelate—who had, with a spirit so honourable to himself, supported the present petition, as well as former ones from the same body of persons—had, from motives of delicacy,

omitted to mention. He was informed that nine clergymen, besides those who had subscribed the petition, wished to have their names added to it, but as their own signatures could not be obtained, the right rev. prelate felt a delicacy about adding their names, lest he might not be strictly performing his duty in communicating to the House the opinions of those individuals as to the question of the Catholic claims. He thought it but justice to the right rev. prelate that that circumstance should be known.

ROMAN CATHOLIC PRIESTS.] The Earl of *Winchilsea* said, it was not his intention to trespass long on the time of the House, in moving for the return of which he had given notice. In looking over the Journals of the House, he found that returns of a similar description, but much more extensive as to the number, had been moved for in the years 1767 and 1780, since which period no parliamentary return (with the exception of a return made to the committee appointed to inquire into the state of Ireland, of the religious establishments of the Roman Church) had been made of the number of the population, of the clergy, and of the religious establishments, of the Roman church within this empire. It was to the two latter classes he wished the return he should move for to be confined. The ignorance in which the noble duke at the head of his majesty's government had thought proper to keep the representatives of the people and the hereditary counsellors of the Crown, as to the provisions of the bill intended to be introduced for the removal of the disabilities affecting his majesty's Roman Catholic subjects, made it a matter of mere conjecture, at the time he gave notice of the motion which he now rose to move, what the enactments of the bill might be. He had two reasons for moving for these returns; first, that the country might know to what extent the power of the establishments of that intriguing and ambitious body of men, the Jesuits, had increased within the last two years in this country. The power of that set of men, who had been banished from every other State in Europe, had increased considerably within the last few years, and he believed that he should be borne out when he stated, that one of their chief establishments had, within the last few years, increased considerably, not only in buildings, but that

money to a great amount had been laid out in the purchase of property in the immediate neighbourhood. The great majority of the three adjoining parishes had, he believed, been made proselytes to the opinion of that body. The second reason for his moving for the return was this—he believed it impossible, if the proposed bill should pass both Houses of parliament, that the Roman Catholics could remain in the same situation, as respected the Established Church, as that in which they at present stood. If therefore, it was contemplated to make, in the proposed bill, or in any subsequent bill, any provision for the Roman Catholic clergy, he thought it advisable that the people should know to what extent they were likely to be taxed, in support of a church which they had declared to be superstitious and idolatrous. The provisions of the bill for the removal of the disabilities affecting the Roman Catholics were now before the country—a bill which the noble duke at the head of his majesty's government stated that, when known, would give satisfaction to the great body of Protestants, afford strength and security to the Protestant institutions of the country, and tend to weaken the power of the Roman Church in this empire. It was not his intention at present to enter into any discussion with respect to those enactments which the noble duke proposed should stand in the place of those long-known and well-tried safeguards of the constitution, because he should have an opportunity of entering into that discussion when the bill came before the House. But he felt confident, that when such opportunity was afforded him, he should be able clearly to prove, to the satisfaction of the nation, that a statement so fallacious in all its bearings, never before fell from the mouth of any statesman. He had now offered to the House the few observations which he had to make in support of his motion. Perhaps it might be urged, that the character, principles, and views of modern Romanism differed very considerably from those by which it was anciently guided; that though the power of Romanism had increased of late years in this country, yet such a return as he had moved for was unnecessary, because no danger was to be feared from the extension of the principles of the Roman Church. To meet such an argument, if it should be advanced, he would take the

liberty of quoting the opinions, not of a Protestant, but of a Roman Catholic writer. The writer he alluded to was an Italian gentleman; and though friendly to emancipation, he had shewn that those doctrines of the Church of Rome which were thought obsolete by some, were still in existence, and he pointed out the danger and difficulty attending the conceding the Roman Catholic claims in the present state of religion in this country, and mentioned the security which he, a Roman Catholic, thought should necessarily accompany any measure of emancipation. [The noble earl here read a long extract from a work entitled "Catholicism in Austria," in which the writer contended, that any measure for emancipation ought to be gradual in its effects, and that part of its provisions ought to be the banishment of the Jesuits from the country. The writer also maintained, that the Church of Rome still firmly retained her oldest doctrines, and that all her actions were directed to the purpose of re-establishing herself in the possession of that power which she had lost.] The noble earl then stated, that it was his firm and heartfelt conviction, that if their lordships were to retrace the pages of the history of this country, even in the most despotic times, they would find that the conduct which the noble duke at the head of his majesty's government had thought proper to pursue, on a question which all admitted was to effect a change in the constitution of the country, was more arbitrary and more dictatorial than any act of any former minister. What were the words of his majesty's gracious Speech at the commencement of the session? His majesty graciously recommended parliament to take into its deliberate consideration the whole condition of Ireland, and that it should review the laws which impose civil disabilities on his majesty's Roman Catholic subjects. "You will consider," the Speech continued, "whether the removal of these disabilities can be effected consistently with the full and permanent security of our establishment in church and state, and with the maintenance of the reformed religion, established by law, and of the rights and privileges of the bishops and of the clergy of this realm, and of the churches committed to their charge." He would ask the House, in what way the noble duke had allowed their lordships an

opportunity to bring their united judgment to the consideration of the extent to which these disabilities ought to be removed? As soon as the noble duke, and the other ministers of the Crown, had taken them into consideration, and had come to the conclusion of their inefficacy and inutility, they came down to parliament with a bill for their removal. He could only say, that whatever line of conduct the noble duke might pursue, if he thought that this measure was to be carried either by secrecy, or he might say by stratagem,—if he thought to carry those principles, by which he had excelled in that profession in which he had reaped the highest honour, into his political character, and on a question respecting which the constitutional voice of the country had a right to be heard, he would find that resistance, with which he must ever expect to meet, from a high-minded people, who valued their liberty more than their existence. Having said thus much, he wished to make a few observations then, as another opportunity might not occur for some time: A noble earl (Grey) had asked him, on a former evening, some questions, to which he begged to be allowed to reply. The noble earl had asked him, what opinions he entertained with respect to Parliamentary Reform?—What he would do if the present administration were dissolved?—How he would form a new one? And how he would tranquillize the country if the parliament were dissolved? With respect to Parliamentary Reform, whatever doubts he might once have entertained upon that question, he confessed that late events had completely removed them. That noble earl would stand a bright—he had almost said (but God forbid he should say so) a solitary—example in the pages of history, of honour, of probity, and of consistency, amidst the turpitude and inconsistency which had so long tarnished the character of so many of our politicians. God grant that he might humbly follow the noble earl in this course of honourable consistency; and he now told that noble earl, that whenever he brought forward a measure for Parliamentary Reform, he should have his most cordial and hearty support. As long as the representation of the country was in the hands of honourable and independent men, in his opinion, no evil could be anticipated, but rather good; but when he saw what had been the conduct

of those who were possessed of close boroughs—when he saw them sacrificing their principles, in order that they might be able to patch up fortunes which had been broken and ruined by their vices—he had no hesitation in saying “let honest people have the representation which these have so grossly abused.” With respect to the second question, it implied a doubt whether, if the present administration were to retire, a new one could be formed of persons who would advocate the principles which he and others, in unison with the great body of the nation, advocated. It must be thought, that the party to which he had the honour to belong had fallen low indeed in character, in honesty, and in talent, if it were supposed that the places of the present administration could not be supplied. He was far from supposing any thing of the sort. When knowledge had spread so far as it had done in these days, and when all knowledge was not confined to the love of Popery, or to the countenance of infidelity, he saw no difficulty in meeting with persons who had sufficient acquirements to conduct the business of the state, without striking, as the proposed measures did strike, at the fundamental articles of the Union of the united kingdom. He did maintain, that if his majesty should be pleased to throw himself upon the good feelings and the good sense of his people, a sufficient number of men of talent, of character, and of honesty—for extraordinary circumstances had ever produced extraordinary men—would be found, who would prove the preservers of their country. If an appeal were made to the people, such a return would be made as would show that there were men who would persevere, in spite of intimidation, in performing their duty to their God, to their king, and to their country; and if such an administration as that which he had described were to be formed, they would neither be afraid to appeal to the people, nor to take such measures as would control spiritual despotism in Ireland, and restore to it religious liberty, upon which, and upon which alone, civil liberty must depend. Many other measures doubtless might be brought forward for the benefit of Ireland. Among others, he would have it made compulsory upon land-owners in that country to leave behind them, when they quitted it, a part of the property derived from the soil; and he was sure that that portion would be

amply repaid, in the heartfelt gratification which must result from the consciousness of having contributed to the happiness of a needy and miserable people. At all events, he would have their property made answerable for the acts of violence which were committed in many parts of the kingdom. He would now move, "That an humble address be presented to his majesty, requesting that he would be graciously pleased to order, that there be laid on the table of the House, an account of the numbers of all the Roman Catholic clergy in Great Britain and Ireland, distinguishing parochial clergy, titular bishops, &c.; also an account of the number of all religious houses and seminaries under the control of the Jesuits and other orders, specifying the names of such orders."

The Duke of *Wellington* said, he had no intention of objecting to the production of any documents, which could be produced, for the purpose of elucidating the points to which the noble earl had called the attention of their lordships. He must, however, observe, that the noble lord, if he supposed that the government could give him any information on the subject, could not have looked very carefully into the act of parliament which regulated these matters, either in this country or in Ireland. From Ireland there could be no such return, as the noble lord, if he looked at the acts, would see. In this country, the noble lord would see by the act of 1791, which required that the names should be registered, and that certain oaths should be taken, there was nothing to show the number of those now existing in the country, of those who had died, or of those who had departed the country. Under these circumstances, though it was true, that by looking through various reports of committees, and by referring to various offices, both here and in Ireland, some information might be obtained, yet, officially, they could give no such returns as those which it was the object of the noble lord's motion to procure. When, therefore, he stated, that he was willing to give the noble lord all the assistance in his power, it would be seen that he could not answer for the time which it would take to produce these returns, or for the accuracy of the returns when they were produced. Having stated thus much, he might conclude; for he was sure their lordships would not expect him, at that time, to

say any thing in answer to what had fallen from the noble lord with respect to the bills which had been introduced by his right hon. friend into the other House of parliament, or to enter into a discussion upon the merits of those bills now. He retained the opinion he had expressed upon those bills, and he now re-asserted what he had before stated with respect to them. The noble lord, he believed, had said, that the opinion which he had given of those bills was fallacious; but he would support that opinion by argument, against that noble lord, or against any body else, when the bills were before the House. In the mean time, he thought he should be excused from saying any thing more about those bills, and from following the noble lord through the extracts which he had read from a work called, he believed, "*Catholicism in Austria*," which, in some respects, was a highly valuable production, but which could be no authority on this subject, inasmuch as the author had shown himself entirely ignorant of the basis on which the question rested in this country. The noble lord was then pleased, in conformity with the example of a noble duke, to accuse him of having carried himself on this question in an arbitrary manner. He believed that he, in conjunction with his colleagues, had done his duty as a minister of the Crown. Having considered that it was for the interests of the country that this question should be considered and decided in this session of parliament, he had advised his majesty to state that which was stated in the Speech from the Throne, on the first day of the meeting of parliament. He afterwards, in conjunction with his colleagues, advised that these bills should be submitted to parliament, and it was with his majesty's sanction and support [loud cheers] that they were brought forward. He repeated, that he had his majesty's firm and cordial support for these measures [cheers]. In acting thus, he believed he had acted as became a minister of this country. He had not gone into a committee to get their sanction to the measure. No; he had come forward, and, on his own responsibility, proposed a measure which, in his opinion, would be productive of benefit, of happiness, and of tranquillity to the country. It had been said, too, that he was introducing Popery and arbitrary power. He denied the fact. Let the question be fairly and properly

viewed, and it would be seen, not only that not one iota of the constitution, or of the religion of the country, was changed, but that the measure would tend to strengthen both the religion and the constitution. It was not necessary that he should follow the noble lord through the latter part of his speech, which related principally to the formation of a new administration, and yet he was unwilling to suffer it to pass unnoticed. In detailing his views on this subject, the noble lord had announced two intentions, which were not very flattering to the existing parliament. The first was, to have a new parliament, and the second was, to reform the parliament; so that even a new one, unless reformed, would not answer the noble lord's purpose. He would merely tell the noble lord, that he heartily hoped, that if the noble lord were to be his successor, he would do both; but that, for his own part, he had no intention of doing either, but of persevering in the measure, not entertaining the least doubt that, in honestly persevering, he should receive the support of their lordships, and be enabled to carry it to a happy and final issue.

The motion was agreed to.

ROMAN CATHOLIC CLAIMS — PETITIONS FOR AND AGAINST.] The Earl of *Eldon* presented a petition from Birmingham against the Catholic Claims. It was, he said, signed by thirty-six thousand persons, and to above twenty thousand of the signatures the places of residence were added to the names. The petition was agreed to at a meeting which was composed exclusively of persons opposed to the Catholic claims. The petition, however, was more numerous signed than that which was about to be presented from the same place.

Lord *Calthorpe* said, he did not deny the great respectability of many of the petitioners, nor did he deny that they were more numerous than those whose petition he should have the honour to present. That, however, was a subject upon which at least some historical and more political information was necessary, in order to form a correct judgment; and he was sure, therefore, inasmuch as the higher classes were more likely to possess such information than the lower classes were, that their lordships would rather look to respectability than to numbers. In saying this he did not mean to

reflect on the sincere and conscientious feelings of the persons who had signed the petition, but he thought that, from the very nature of the question, it was quite evident that a great deal which ought to enter into the decision of it must be unknown to the lower classes of the country. It was upon this feeling that the petitioners, whose petition he held in his hand, had at first determined not to address the parliament on the subject; but, relying fully on the justice and the wisdom of parliament, to preserve silence. The petition which had just been presented induced them to deviate from that course, and he had now to present a petition which bore the signatures of individuals, whose opinions on any subject were entitled to the respect and consideration of their lordships. It was signed by a great many magistrates, by six clergymen, by thirteen bankers, by seven dissenting ministers, by sixteen medical gentlemen, including five physicians, by twenty-one barristers and attorneys, and by a great number of the most respectable merchants and inhabitants of Birmingham. As to inviting the co-operation of those youthful statesmen which were to be found in such numbers in the charity-schools of the country, the petitioners had neglected to do so—not because there were no charity-schools in Birmingham, but because they thought the respectability of their petition would not be advanced by obtaining the signatures of those who, if they could form any opinion upon the subject, must be looked upon as illustrative rather of the race than of the march of intellect. In such a town as Birmingham, where the public mind and feeling were highly excited, their lordships ought to exercise a very rigid scrutiny, as to the persons by whom petitions coming from that place were signed. That the petition presented by the noble and learned lord did contain some signatures of the kind to which he had alluded, he entertained no doubt; but that circumstance did not, in any degree, reflect on the respectability of those persons whose names appeared on the first part of that petition, and whose instrumentality in bringing it forward was well known; for he was quite sure that those individuals would not lend themselves, in any respect, to the getting up of a petition which did not contain what they considered the real sentiments of the people, and which they

did not believe to be properly and regularly signed. At the same time, he entertained very little, if any, doubt, from circumstances which he had heard, and on which he could rely, that in order to swell the numbers to that very large and voluminous petition which the noble and learned lord had presented, efforts were made that could not be commended. But at the same time he assured their lordships, that he was really persuaded—with whatever feelings those respectable individuals had signed the petition—with whatever apprehensions they might view the measures proposed by his majesty's ministers—that the time was not far distant when they would share, in a very considerable degree, in the gratifying feelings which the friends of those measures now experience. He could not but persuade himself that the time, ere long, would arrive, when those who really desired to uphold the church of England, would see that ministers, in taking the view which they had done of this question, had pursued the course which was best calculated to sustain the interests of the established church. By confounding religious tenets with that which rendered the Catholic religion at one time incompatible with civil freedom—two things which were very different—great obscurity had been cast over this question. But he believed that, ere long, those who were now of a contrary opinion, would see that the noble duke was fully justified in saying, that he considered this to be a measure for the support of the church of England. He could not but hope, that the very sanguine anticipations which he had heretofore entertained on this subject would be fully justified, by the effects which this measure would produce. He was persuaded that, ere long, such a measure as that which was in contemplation would carry with it the support of every class of individuals, bearing, as it would, on its provisions the best and most valuable characteristic of Englishmen—justice. He had no doubt but it would be sufficient to afford that security to the church, which it was quite evident, while the present state of things continued in Ireland, they might look for in vain. It was, therefore, with cordial satisfaction that he hailed this measure.

The Earl of *Eldon* said, that no observation, no statement, which any noble lord might make, should induce him to depart from that rule of conduct which he had

hitherto constantly observed, in presenting petitions. He would not, while presenting them, enter into the question, whether the measure proposed by the noble duke would be salutary or not—he would not, on such an occasion enter on an inquiry of so extensive a nature. He entertained, on this subject, the most sincere and decided opinion. After anxious deliberation on it, he had come to this conclusion—that the measures which had been spoken of that night were utterly inconsistent with the safety and security of the church of England. The noble lord might support those measures; but he should, most sincerely and strenuously, but he hoped most fairly and openly, oppose them to the very last moment that such measures were discussed in their lordships' House. While he said this, he could assure their lordships that the regard which he felt for the noble duke personally, remained unshaken, although he was the author of that, to him, most detested measure.

The Duke of *Sussex* said, he had been requested to make a remark or two on this petition, as to the manner in which it had been got up. The information which he had received he had communicated to his noble friend on the right, who had presented the counter-petition, and who told him that the person by whom he (the duke of *Sussex*) had been addressed was known to his noble friend, and was a perfectly respectable man. That individual had called his attention to the manner in which the petition was got up, and it was this:—Different pieces of parchment were placed in butchers' and bakers' shops, where persons of all ages signed their names. Boys were placed at the turnpike-gates with similar pieces of parchment, and lads as they came from school were called on to sign their names—in some instances, contrary to the wish and opinion of their parents; and many of them signed for the gratification of having their names placed on the tables of the two Houses of parliament. This was the statement which he had been told to make. To show how signatures were procured, he begged to relate to the House an anecdote which he had learned from a reverend gentleman at *Norwich*. The reverend gentleman having been informed that the boys at the National School had been dismissed an hour before their time, to enable them to sign the anti-Catholic petition, asked the master why he had sent up those

little boys to sign the petition?—"Oh," answered he, "because it will make a lasting impression on their minds."

The Duke of *Richmond* said, he was anxious to take this opportunity to say a few words with reference to what had fallen from a noble earl, in the early part of the evening. He did not agree in all that had been said by that noble earl. He agreed with him on one point—namely, that great danger was to be apprehended from Catholic emancipation; but he wished not to be understood as agreeing with the noble earl in his opinion on the subject of reform. He should feel it to be his duty, as a peer of that House, to give every possible opposition to the measures now in progress; which, in his opinion, were decidedly hostile to the best interests of the country, and he trusted that his opposition would be found manly, fair, and open. He would not call to his aid, in opposing the Roman Catholic claims, any other weapon but regular parliamentary practice; and he wished it most particularly to be understood, that if these measures, unfortunately in his opinion, should be carried, no man would be more anxious than himself to see them produce a good effect; and no man would feel greater gratification than he should do, if he found they answered the expectations which had been formed as to their efficacy. But he felt convinced, that if, unhappily, the noble duke should gain the victory upon this occasion, he would, for the first time in his life, be compelled to deplore the success.

The Earl of *Falmouth* said, he was desirous to say one word in answer to the noble duke. Every one knew that he was no reformer; but at the same time he must say, that if they were to reform the constitution, as was now proposed, they must take care, lest, after it was so reformed—and, he might add, ruined by being so reformed—they might not be placed under the necessity of effecting a further reform, for the sake of securing even a chance of supporting the remaining wreck of the British constitution. He rose merely to make this remark; and he might be permitted to add, that he considered the measure proposed by the noble duke to be pregnant with great evil to the country. If he could for one moment think otherwise, he would not oppose the measure; for he had no party feelings to indulge.

The Earl of *Eldon* observed, that in the year 1815, many documents were laid before their lordships, relative to those Roman Catholics who had taken the benefit of the acts of 1791 and 1793. Now, he should like to see similar accounts at the present time. If they had the necessary materials, they could see how far the Roman Catholics had taken the benefit of the acts of 1791 and 1793, and how far they had complied with the conditions on which those benefits were conceded. He wished likewise to point the attention of the House to the distinction between the oath in the act of 1791, and the oath in the act of 1793; for the purpose of ascertaining whether the Roman Catholics under the one act bound himself to the same allegiance as he did under the other. The English act of 1791 called on the Roman Catholic to swear allegiance to the succession to the throne under the Act of Settlement—that succession being limited to the princess Sophia of Hanover, and the heirs of her body "being Protestants." The Irish act of 1793, unless his memory deceived him, called on the Roman Catholics to swear allegiance to the succession in his majesty's family, omitting the words "being Protestants." On this subject he should make a motion on Friday; for which day he moved that the lords should be summoned.

HOUSE OF COMMONS.

Tuesday, March 10.

ROMAN CATHOLIC RELIEF BILL—AND IRISH ELECTION QUALIFICATION BILL]. Mr. Secretary Peel brought in the above Bills. Of which the following are copies:—

ROMAN CATHOLIC RELIEF BILL;
as brought in by Mr. Secretary Peel.

A BILL FOR THE RELIEF OF HIS MAJESTY'S
ROMAN CATHOLIC SUBJECTS.

[Note.—The words printed in *Italics* are proposed to be inserted in the Committee.]

Whereas by various acts of Parliament, certain restraints and disabilities are imposed on the Roman Catholic subjects of His Majesty, to which other subjects of His Majesty are not liable: And whereas it is expedient that such

restraints and disabilities shall be from henceforth discontinued : And whereas by various acts certain oaths and declarations, commonly called the Declaration against Transubstantiation, and against Transubstantiation and the Invocation of Saints, and the Sacrifice of the Mass, as practised in the Church of Rome, are or may be required to be taken, made and subscribed by the subjects of his Majesty, as qualifications for sitting and voting in Parliament, and for the enjoyment of offices, franchises, and civil rights : Be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, that from and after the commencement of this Act, all such parts of the said Acts as require the said Declarations, or either of them, to be made or subscribed as a qualification for sitting and voting in Parliament, or for the exercise or enjoyment of any office, franchise, or civil right, by any of His Majesty's subjects, be, and the same are, (save as hereinafter provided and excepted) hereby repealed.

And be it enacted, that from and after the commencement of this Act, it shall and may be lawful for any person professing the Roman Catholic religion, being a Peer, or who shall after the commencement of this Act be returned as a Member of the House of Commons, to sit and vote in either House of Parliament respectively, being in all other respects duly qualified to sit and vote therein, upon taking and subscribing the following Oath, instead of the Oaths of Allegiance, Abjuration, and Supremacy, and instead of making and subscribing the Declaration against Transubstantiation and the Invocation of Saints, and the Sacrifice of the Mass, as practised in the Church of Rome.

"I, A. B., do sincerely promise and swear, that I will be faithful and bear true allegiance to His Majesty King George the Fourth, and will defend him to the utmost of my power against all conspiracies and attempts whatever, which shall be made against his person, crown, or dignity; and I will do my utmost endeavour to disclose and make known to His Majesty, his heirs and successors, all treasons and traitorous conspiracies which may be formed against him or them: and I do faithfully promise to maintain, support, and defend, to the utmost of my power, the succession of the Crown, which succession, by an Act, entitled 'An Act for the farther Limitation of the Crown, and better securing the Rights and Liberties of the Subject,' is and stands limited to the Princess Sophia, Electress of Hanover, and the heirs of her body, being Protestants; hereby utterly renouncing and abjuring any obedience or allegiance unto any other person claiming or pretending a right to the crown of these realms: and I do further declare, that it is not an article of my faith, and that I do renounce, reject, and abjure the opinion, that princes excommunicated or deprived by the

Pope, or any other authority of the see of Rome, may be deposed or murdered by their subjects, or by any person whatsoever: And I do declare, that I do not believe that the Pope of Rome, or any other foreign prince, prelate, person, state or potentate, hath or ought to have any temporal or civil jurisdiction, power, superiority or pre-eminence, directly or indirectly, within this realm. I do swear, that I will defend to the utmost of my power the settlement of property within this realm, as established by the laws: And I do hereby disclaim, disavow, and solemnly abjure any intention to subvert the present Church Establishment as settled by law within this realm: And I do solemnly swear, that I never will exercise any privilege to which I am or may become entitled, to disturb or weaken the Protestant religion or Protestant government in this kingdom: And I do solemnly, in the presence of God, profess, testify, and declare, that I do make this declaration, and every part thereof, in the plain and ordinary sense of the words of this oath, without any evasion, equivocation, or mental reservation whatsoever."

Provided always, and be it further enacted, that no Peer professing the Roman Catholic religion, and no person professing the Roman Catholic religion, who shall be returned a Member of the House of Commons after the commencement of this Act, shall be capable of sitting or voting in either House of Parliament respectively, unless he shall first take and subscribe the Oath herein before appointed and set forth, before the same persons, at the same times and places, and in the same manner as the Oaths and Declaration now required by law are directed to be taken and made; and that any such person professing the Roman Catholic religion, who shall sit and vote in either House of Parliament, without having first taken and subscribed the said Oath in this Act appointed and set forth in the manner above-mentioned, shall be subject and liable to the same penalties, forfeitures, and disabilities, and the offence of so sitting and voting shall be followed and attended by and with the same consequences, as are by law enacted and provided in the case of persons sitting and voting in either House of Parliament, respectively, without taking the oaths and making the declaration now required by law to be taken and made.

And be it further enacted, that it shall and may be lawful for persons professing the Roman Catholic religion, to vote at Elections of Members to serve in Parliament, and to be elected such Members, and also to vote at the elections of representative Peers of Scotland and Ireland, and to be elected such representative Peers, and to be enrolled as freeholders in any shires or stewartry of Scotland, and thereafter to vote in all proceedings of the court of freeholders, and to be chosen Præses or Clerk of such courts, and to be chosen Commissioner or Delegate for choosing Burgesses to serve in Parliament for any district of Burghs in Scot-

land, being in all other respects duly qualified so to do, upon producing to the officer or other person who by law or custom is required to make the return at such election, or other presiding officer, the certificate hereinafter mentioned, [of the oath hereby appointed and set forth having been duly taken and subscribed by the person producing the same, or upon taking and subscribing the said oath at the time and place of such election instead of the Oaths of Allegiance, Supremacy, and Abjuration, and instead of the Declaration now by law required to be made and subscribed, and instead of such other Oath or Oaths as are now by law required to be taken by any of His Majesty's subjects professing the Roman Catholic religion, and also upon taking such other Oath or Oaths as may now be lawfully tendered to any person or persons offering to elect or be elected at such elections.

And whereas by a certain Act of the Parliament of Scotland made in the 8th and 9th Session of the first Parliament of King William III., entitled "An Act for the preventing the growth of Popery," a certain declaration or formula is therein contained, which it is expedient should no longer be required to be taken and subscribed; Be it therefore enacted, that so much of any Acts as authorise the said declaration or formula to be tendered, or require the same to be taken, sworn, and subscribed, be and the same are hereby Repealed, except as to such offices, places, and right, as are hereinafter accepted.

And be it enacted, that it shall be lawful for any of His Majesty's subjects professing the Roman Catholic religion, to hold, exercise, and enjoy, all civil and military offices and places of trust or profit under His Majesty, his heirs or successors, and to exercise any other franchise or civil right, except as hereinafter excepted, upon taking and subscribing, at the times and in the manner hereinafter mentioned, the Oath hereinbefore appointed and set forth, instead of the Oaths of Allegiance and Supremacy, and Declaration against Transubstantiation, and such other Oath or Oaths as are or may be now by law required to be taken for the purpose aforesaid by any of His Majesty's subjects professing the Roman Catholic religion: provided nevertheless, that such other Oath and Oaths and such other Declarations shall be made and taken as are or may be by law required to be taken by any person or persons on his or their admission into any such office or place of trust or profit respectively.

Provided always, and be it further enacted, that nothing herein contained shall extend or be construed to extend to enable any person or persons professing the Roman Catholic religion, to hold or exercise the office of Regent of this United Kingdom, during the absence of his Majesty or his successors from the same, under whatever name, style, or title, such Regent may be constituted or appointed; nor to enable any person, otherwise than as he is now by law enabled, to hold or enjoy the

office of Lord High Chancellor, Lord Keeper or Lord Commissioner of the Great Seal of Great Britain or Ireland; or of Lord Lieutenant, or Lord Deputy, or other Chief Governor or Governors of Ireland.

And be it enacted, that it shall and may be lawful for any of His Majesty's subjects professing the Roman Catholic religion, to be a member of any lay body corporate, and to hold any civil office or place of trust or profit therein; and to do any corporate act, or vote in any corporate election or other proceeding, upon taking and subscribing the Oath hereby appointed and set forth, instead of the Oaths of Allegiance, Abjuration, and Supremacy, and instead of the Declaration against Transubstantiation; and upon taking also such other Oath or Oaths as may now by law be required to be taken by any person or persons becoming a member or members of such lay body corporate, or being admitted to hold any office or place of trust or profit within the same.

Provided nevertheless, and be it further enacted, that nothing herein contained shall extend to authorise or empower any of his majesty's subjects professing the Roman Catholic religion, and being a member of any lay body corporate, to give any vote at, or in any manner to join in the election, presentation, or appointment of any person to any ecclesiastical benefice whatsoever, or any office or place belonging to or connected with the United Church of England or Ireland, or the Church of Scotland, being in the gift, patronage, or disposal of such lay corporate body.

Provided also, and be it enacted, that nothing in this Act contained shall be construed to enable any person or persons otherwise than as they are now by law enabled, to hold, enjoy, or exercise any office, place, or dignity, of, in, or belonging to the United Church of England and Ireland, or the Church of Scotland, or any place or office whatever, of or belonging to any of the ecclesiastical courts of judicature of this realm, or any court of appeal from or review of the sentences of such court or courts, or of or belonging to any cathedral or collegiate or ecclesiastical establishment, or foundation within the same; or any office or place whatever, of or belonging to any of the Universities of this realm; or any office or place whatever, and by whatever name the same may be called, of, in, or belonging to any of the Colleges or Halls of the said Universities, or of the Colleges of Eton, Westminster, or Winchester, or any college or school of ecclesiastical foundation within this realm: or to repeal, abrogate, or in any manner to interfere with any local statute, ordinance, or rule, which is or shall be established by competent authority within any such University, College, Hall, or School, and by which Roman Catholics shall be prevented from being admitted thereto, or from residing or taking degrees therein: provided also, that nothing herein contained shall extend or be construed to extend to enable any person professing the

Roman Catholic religion, to exercise any right of presentation to any ecclesiastical benefice whatsoever; and that in every case in which a right of presentation is or shall be vested in a person professing the Roman Catholic religion, the same shall be and continue to be exercised in the same manner, and in no other, than is now by law required; save and except where such right of presentation shall belong to any office in the gift or appointment of His Majesty, his heirs or successors, in which case, if such office shall be held by a person professing the Roman Catholic religion, it shall be lawful for His Majesty, his heirs and successors, to appoint, by commission under the Great Seal, such member or members of the Privy Council, being a Protestant or Protestants, as he or they shall think fit, to be a Commissioner or Commissioners for exercising such right of presentation, whilst such office shall be held by a person professing the Roman Catholic religion.

Provided also, and be it enacted, that it shall not be lawful for any person professing the Roman Catholic religion, directly or indirectly, to advise the Crown in the appointment to, or disposal of, any office or preferment, lay or ecclesiastical, in the United Church of England and Ireland, or of the Church of Scotland; and that if any such person shall presume to advise His Majesty, his heirs or successors, or the Lord Lieutenant or Lord Deputy, or other Chief Governor or Governors of Ireland, touching or concerning any such appointment or disposal, he shall, being thereof convicted by due course of law, be deemed guilty of a high misdemeanor, and disabled for ever from holding any office, civil or military, under the Crown.

And be it enacted, that every person professing the Roman Catholic religion, who shall after the commencement of this Act, be placed, elected, or chosen in or to the office of mayor, provost, alderman, recorder, bailiff, town clerk, magistrate, councillor, or common-councilman, or in or to any office of magistracy or place, trust, or employment, relating to the government of any city, corporation, borough, burgh, or district within the united kingdom of Great Britain and Ireland, shall within *One calendar month* next before or upon his admission into any of the aforesaid offices or trusts, take and subscribe the oath hereinbefore appointed and set forth, in the presence of such person or persons respectively, as by the charters or usages of the said respective cities, corporations, burghs, boroughs, and districts, ought to administer the Oath for due execution of the said offices or places respectively, and in default of such, in the presence of *Two* Justices of the Peace, Councillors or Magistrates of the said cities, corporations, burghs, boroughs, and districts, if such there be, or otherwise in the presence of *Two* Justices of the Peace of the respective counties, ridings, divisions, or franchises, wherein the said cities, corporations, burghs, boroughs, and

districts are, which said Oath shall either be entered in a book, roll, or other record, to be kept for that purpose, or shall be filed amongst the records of the city, corporation, burgh, borough or district.

And be it enacted, that every person professing the Roman Catholic religion, who shall after the commencement of this Act be appointed to any office or place of trust or profit under His Majesty, his heirs or successors, shall within *Three* calendar months next before such appointment, or otherwise shall before he presumes to exercise or enjoy, or in any manner to act in such office or place, take and subscribe the Oath, hereinbefore appointed and set forth, either in His Majesty's High Court of Chancery, or in any of His Majesty's Courts of King's Bench, Common Pleas, or Exchequer, at Westminster or Dublin; or before any Judge of assize, or in any Court of General or Quarter Sessions of the Peace in Great Britain or Ireland, for the county or place where the person so making, taking, and subscribing the same shall reside, or in any of His Majesty's Courts of Session, Justiciary, Exchequer or Jury Court, or in any Sheriff or Stewart Court, or in any Burgh Court, or before the magistrates and councillors of any Royal Burgh in Scotland, between the hours of *Nine* in the morning and *Four* in the afternoon: and that the proper officer of such court in which such Oath shall be so made, taken and subscribed, shall cause the same to be preserved amongst the records of the said court; and such officer shall make, subscribe, and deliver a certificate of such Oath having been duly taken and subscribed, as often as the same shall be demanded, upon payment of the fee or sum of *Two shillings and sixpence* for the same, and such certificate shall be sufficient evidence of such person having duly taken and subscribed such Oath as aforesaid.

And be it enacted, that if any person professing the Roman Catholic religion, shall enter upon the exercise and enjoyment of any office or franchise, or any office or place of trust or profit, under His Majesty, not having in manner and at the time aforesaid, taken and subscribed the Oath hereinbefore appointed and set forth, then, and in every such case, such person shall forfeit to His Majesty the sum of *Two hundred pounds*; and the appointment of such person to the office, franchise, or place so by him held, shall thereupon become altogether void, and the office, franchise, or place shall be deemed and taken to be vacant to all intents and purposes whatsoever.

Provided always, that for and notwithstanding any thing in this Act contained, the Oath hereinbefore appointed and set forth, shall be taken by the officers in His Majesty's Land and Sea Service, at the same times and in the same manner as the Oaths and Declarations now required by law are directed to be taken, and not otherwise.

And be it further enacted, that from and after the passing of this Act, no Oath or Oaths

shall be tendered to, or required to be taken by, his Majesty's subjects professing the Roman Catholic religion, for enabling them to hold or enjoy any real or personal property, other than such as may by law be tendered to and required to be taken by his Majesty's other subjects; and that the said Oath herein appointed and set forth, being taken and subscribed in any of the courts, or before any of the persons abovementioned, in respect whereof a certificate is directed to be delivered as aforesaid, shall be of the same force and effect, to all intents and purposes, as, and shall stand in the place of, all Oaths and Declarations required or prescribed by any law now in force for the relief of His Majesty's Roman Catholic subjects from any disabilities, incapacities, or penalties.

And whereas the Protestant Episcopal Church of England and Ireland, and the doctrine, discipline, and government thereof, and likewise the Protestant Presbyterian Church of Scotland, and the doctrine, discipline, and government thereof, are by the respective Acts of Union of England and Scotland, and of Great Britain and Ireland, established permanently and inviolably.

And whereas the right and title of Archbishops to their respective provinces, of Bishops to their sees, and of Deans to their deaneries, as well in England as in Ireland, have been settled and established by law; be it therefore enacted, that from and after the commencement of this Act, it shall not be lawful for any person, other than the person thereunto authorized by law, to assume or use the name, style, or title of Archbishop of any province, Bishop of any bishoprick, or Dean of any deanery, in England or Ireland; and every person so offending shall for every such offence forfeit and pay the sum of *One hundred pounds*.

And be it further enacted, that from and after the commencement of this Act, it shall not be lawful for any person holding any judicial or civil office, or any mayor, provost, jurat, bailiff or other corporate officer, to resort to or be present at any place or public meeting for religious worship, in England or in Ireland, other than that of the United Church of England and Ireland, or in Scotland, other than that of the Church of Scotland, as by law established, in the robe, gown, or other peculiar habit of his office, or attending with the ensign, or insignia, or any part thereof, of or belonging to such his office; and in case any such person shall, after the commencement of this Act, so offend, he shall, being thereof convicted by due course of law, forfeit such office, and pay the sum of *One hundred pounds*.

And be it further enacted, that from and after the commencement of this Act, it shall not be lawful for any Roman Catholic Ecclesiastic, or any members of the orders, communities, or societies hereinafter mentioned, to exercise any of the rites or ceremonies of the Roman Catholic religion, or wear the habits of his order, save within the usual places of

worship of the Roman Catholic religion, or in private houses; and in case any such ecclesiastic or other person shall, after the commencement of this Act, so offend, he shall, being thereof convicted by due course of law, forfeit the sum of *Fifty Pounds*.

Provided always, and be it enacted, that nothing in this Act contained shall in any manner repeal, alter, or affect any provision of an Act made in the fifth year of His present Majesty's reign, entitled "An Act to repeal so much of an Act passed in the Ninth year of the reign of King William the Third, as relates to Burials in suppressed Monasteries, Abbeys, or Convents in Ireland, and to make further provision with respect to the Burial in Ireland of Persons dissenting from the Established Church."

And whereas Jesuits and members of other religious orders, communities, or societies, of the church of Rome, bound by monastic or religious vows, are resident within the United Kingdom; and it is expedient to make provision for the gradual suppression and final prohibition of the same therein; be it therefore enacted, that every Jesuit, and every member of any other religious order, community, or society of the church of Rome, bound by monastic or religious vows, who at the time of the commencement of this Act shall be within the United Kingdom, shall within *Six* calendar months after the commencement of this Act, deliver to the clerk of the peace of the county or place where such person shall reside, or his deputy, a notice or statement, in the form and containing the particulars set forth in the Schedule to this Act annexed: which notice or statement, such clerk of the peace, or his deputy, is hereby required to preserve and register amongst the records of such county or place, for which no fee shall be payable, and a copy of which said notice or statement shall be by such clerk of the peace, or his deputy, forthwith transmitted to the chief secretary of the Lord Lieutenant, or other Chief Governor or Governors of Ireland, if such person shall reside in Ireland, or if in Great Britain, to one of His Majesty's principal Secretaries of State: and in case any person shall offend in the premises, he shall forfeit and pay to His Majesty for every calendar month during which he shall remain in the United Kingdom without having delivered such notice or statement as is hereinbefore required, the sum of *Fifty pounds*.

And be it further enacted, that if any Jesuit or member of any such religious order, community, or society as aforesaid shall, after the commencement of this Act, come into this realm, such person shall be deemed and taken to be guilty of a misdemeanour, and being thereof lawfully convicted, shall be sentenced and ordered to be banished from the United Kingdom for the term of his natural life.

Provided always, and be it further enacted, that in case any natural-born subject of this realm, being at the time of the commencement of this Act a Jesuit, or other member of any such religious order, community, or society as

aforesaid, shall, at the time of the commencement of this Act, be out of the realm, it shall be lawful for such person to return or to come into this realm, and upon such his return or coming into the realm, he is hereby required, within the space of *Six* months after his first returning or coming into the United Kingdom, to deliver such notice or statement to the clerk of the peace of the county or place where he shall reside, or his deputy, for the purpose of being so registered and transmitted as hereinbefore directed; and in case any such person shall neglect or refuse so to do, he shall for such offence forfeit and pay to His Majesty, for every calendar month during which he shall remain in the United Kingdom without having delivered such notice or statement, the sum of *Fifty pounds*.

And be it further enacted, that in case any Jesuit or member of any such religious order, community, or society, as aforesaid, shall after the commencement of this Act, within any part of the United Kingdom, admit any person to become a regular Ecclesiastic or brother or member of any such religious order, community, or society, or be aiding or consenting thereto, or shall administer or cause to be administered, or be aiding or assisting in the administering or taking any oath, vow, or engagement, purporting or intending to bind the person taking the same to the rules, ordinances or ceremonies of such religious order, community, or society, every person offending in the premises shall be deemed guilty of a misdemeanour, and in Scotland shall be punished by fine and imprisonment.

And be it further enacted, that in case any person shall, after the commencement of this Act, within any part of this United Kingdom, be admitted or become a Jesuit or brother or member of any other such religious order, community, or society as aforesaid, such person shall be deemed and taken to be guilty of a misdemeanour and being thereof lawfully convicted, shall be sentenced and ordered to be banished from the United Kingdom for the term of his natural life.

And be it further enacted, that in case any person sentenced and ordered to be banished under the provision of this Act, shall not depart from this United Kingdom within *Thirty* days after the pronouncing of such sentence and order as aforesaid, it shall and may be lawful to and for His Majesty to cause such person to be conveyed to such place out of the United Kingdom as His Majesty by and with the advice of his Privy Council shall direct.

And be it further enacted, that if any offender who shall be so sentenced and ordered by any such court as aforesaid, to be banished in manner aforesaid, shall, after the end of *Three* calendar months from the time such sentence and order hath been pronounced, be at large within any part of the United Kingdom without some lawful cause, every such offender being so at large as aforesaid, being thereof lawfully convicted, shall be transported to such

place as shall be appointed by His Majesty, for the term of his natural life.

Provided always, and be it enacted, that nothing herein contained shall extend or be construed to extend in any manner to affect any religious order, community, or establishment consisting of Females bound by religious or monastic vows.

And be it further enacted, that all penalties imposed by this Act shall and may be recovered as a debt due to His Majesty, by information to be filed in the name of His Majesty's Attorney-General in the Court of Exchequer in England and Ireland respectively, or in the name of His Majesty's Advocate-general in the Court of Exchequer in Scotland.

And be it further enacted, that this Act, or any part thereof, may be repealed, altered, or varied at any time within this present Session of Parliament.

And be it further enacted, that this Act shall commence and take effect on and from the day of next following.

SCHEDULE to which this ACT refers.

Date of the Re-gistry.	Name of the Party.	Age.	Place of Birth.	Name of the Order, Community, or Society whereof he is a member.	Name and usual Residence of the next immediate Superior of the Order, Community or Society.	Usual Place of Residence of the Party.
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IRISH ELECTION QUALIFICATION BILL:

As brought in by Mr. Secretary Peel.

A BILL TO AMEND CERTAIN ACTS OF THE PARLIAMENT OF IRELAND RELATIVE TO THE ELECTION OF MEMBERS TO SERVE IN PARLIAMENT, AND TO REGULATE THE QUALIFICATION OF PERSONS ENTITLED TO VOTE AT THE ELECTION OF KNIGHTS OF THE SHIRE IN IRELAND.

(Note—The Words printed in *Italics* are proposed to be inserted in the Committee.)

Whereas by an Act of the Parliament of Ireland, passed in the Thirty-third year of the reign of King Henry the Eighth, entitled “An Act for the Adjournment of the Parliament, and the place to hold the same, and what Persons shall be chosen Knights and Burgesses,” it is amongst other things enacted, That every Knight, Citizen, and Burgess, for every Parliament thereafter within the realm of Ireland to be summoned, appointed, or holden, shall be chosen and elected by the greater number of the Inhabitants of the said Counties, Cities, and Towns, being present at the said election, by virtue of the King's Writs for that intent addressed, and also that every elector of the said Knights shall dispend and have lands and tenements of estate of freehold within the said Counties, at the least, to the

yearly value of Forty shillings over and above all charges :

And whereas by an Act passed in the Parliament of Ireland in the Thirty-fifth year of the reign of his late Majesty King George the Third, entitled "An Act for regulating the Election of members to serve in Parliament, and for repealing the several Acts therein mentioned," and by subsequent acts persons having freehold estates are required to register their Freeholds in the manner therein prescribed, in order to qualify them to vote at elections for Members to serve in Parliament for Counties in Ireland :

And whereas it is expedient to increase the amount of the qualification necessary to entitle persons to vote at such elections, and to amend the laws now in force in Ireland, relating to the Registry of Freeholds ; be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, that from and after the commencement of this Act, that part of the said Act of the Thirty-third year of King Henry the Eighth, hereinbefore recited, which relates to the amount or value of the freehold necessary to qualify persons to be electors of Knights of the Shire to serve in Parliament for counties in Ireland, shall be and the same is, hereby repealed.

And be it enacted, that from and after the commencement of this Act, no person shall be admitted to vote at any election of any Knight of the Shire to serve in the Parliament of the United Kingdom, for any county in Ireland, (save as hereinafter is provided) unless such person shall have an estate of freehold in lands, tenements, or hereditaments in such county, of the clear yearly value of *Ten pounds*, at the least, over and above all charges, outgoing, and incumbrance, except only Public or Parliamentary Taxes, County, Church, or Parish Cesses, or Rates, and Cesses on any Townland, Barony, or Division of any Parish or Barony.

And be it enacted, that from and after the commencement of this Act, no persons shall be admitted to vote at any election of a Knight of the Shire to serve in the Parliament of the United Kingdom for any county in Ireland, by virtue or in respect of any estate of Freehold of less annual value than *Twenty pounds*, unless such Freehold shall be registered pursuant to the provisions of this Act, save only as hereinafter provided.

And be it enacted, that after the commencement of this Act, a Session for the purpose of registering Freeholds within this Act, shall be holden in and for each county in Ireland, by and before the Assistant Barrister of such county, on such days and at such places in each such county respectively, as the Lord Lieutenant, or other Chief Governor or Governors of Ireland, shall appoint : and the Clerk of the Peace for each such county shall,

Forty days at the least before the day so appointed for such county, cause to be posted in each market-town therein, Notices in the form specified in the first Schedule to this Act annexed, that such Session, for the purpose of registering Freeholds within this Act, will be holden on the days and at the places so appointed, and that applications for that purpose will be then and there taken into consideration.

And be it enacted, that every person intending to register a Freehold at any such Session, shall give to the Clerk of the Peace for the county, notice in writing of such intention *Thirty* clear days at the least before the day appointed for the holding of such Session, and shall in such notice state, according to the form prescribed in the Second Schedule to this Act annexed, his name and residence, the description of the lands, tenements, hereditaments, or rent-charge, in respect of which such application is to be made, and whether he intends to register such Freehold at the annual sum of *Fifty pounds*, or of *Twenty pounds* or of *Ten pounds* ; and the Clerk of the Peace of each county shall enter all such notices, according to the order in which he shall receive them, in a list in the form specified in the Third Schedule to this Act annexed, and shall, *Fifteen* days at least before the day appointed for holding such Session, cause a copy of such list to be published in some newspaper printed in such county, or in case no newspaper shall be therein printed, then in some newspaper printed in any adjoining county.

And be it enacted, that at each such Session the names of the persons contained in such lists shall be severally called by the Clerk of the Peace, and each person so called, who shall claim to register any Freehold, shall produce in open Court before such Assistant Barrister the deed, lease, or instrument, by virtue of which such person shall claim such Freehold ; or in case he shall not claim by virtue of any deed, lease, or instrument, then such person shall otherwise establish his title to such Freehold, and such person shall also prove that a solvent and responsible tenant could afford to pay fairly and without collusion for the same, the annual sum of *Fifty pounds*, *Twenty pounds*, or *Ten pounds*, as the case may be, as an additional rent, over and above all charges as aforesaid, and over and above any rent to which the person so claiming may be liable in respect of the same.

And be it enacted, that such Assistant Barrister shall inspect and examine every deed, lease, or instrument so produced, or otherwise investigate the title so made, and shall determine whether the same is or is not sufficient to entitle the person claiming thereunder to a legal estate of Freehold, such as shall be so claimed, and shall also examine and inquire, as well by the oath of the person so claiming (which oath such Assistant Barrister is hereby

empowered to administer) as by any evidence offered in support of, or opposition to, such claim, whether a solvent and responsible tenant could afford to pay fairly and without collusion, as an additional rent for such Freehold, the annual sum of *Fifty pounds, Twenty pounds, or Ten pounds*, as the case may be, over and above all such charges as aforesaid, and over and above any rent to which the person so claiming may be liable in respect of the same; and shall also inquire by any of the means aforesaid into the truth of the several particulars required to be stated in the oath hereinafter prescribed to be taken for the registry of such Freehold: and also into the title of the person under whom such Freehold shall be claimed, if such Assistant Barrister shall see reason to doubt such title.

And be it enacted, that if it shall appear to such Assistant Barrister that the person so claiming is entitled to register such Freehold at the annual sum, within the meaning of this Act, at which he shall claim to register the same, such Assistant Barrister shall and may so adjudge, and in such case the person so adjudged entitled, shall, instead of the oath or oaths, affirmation or affirmations now by law required in that behalf, take and subscribe before such Assistant Barrister the Oath mentioned in the Fourth Schedule to this Act annexed, where the Freehold of such person shall be of the annual value of *Fifty pounds* or *Twenty pounds*, not arising from a rent-charge, and where the same shall arise from a rent-charge, then the Oath prescribed in the Fifth Schedule to this Act annexed, and where the same shall be of the value of *Ten pounds* then the Oath prescribed in the Sixth Schedule to this Act annexed, which several Oaths such Assistant Barrister is hereby authorised to administer.

And be it enacted, that the clerk of the peace shall thereupon, instead of the certificate of registry now by law required, deliver to the person so adjudged to be entitled (if he shall demand the same) a certificate, signed by such Assistant Barrister, and by such clerk of the peace, stating that such person has duly registered a Freehold in the county within which the same shall be situate, at the annual sum so proved as aforesaid, and reciting the oath of such person on which such Freehold has been registered, which certificate shall be of equal authenticity with the original oath thereby certified in case of the loss or destruction of such original, and shall be evidence of the due registry of the Freehold therein-mentioned.

And be it enacted, that every such oath shall be read aloud in open court by the clerk of the peace, and shall be signed by the Assistant Barrister before whom the same shall be taken, and shall be by him delivered to the clerk of the peace to be filed and kept amongst the records of the county; and such Assistant Barrister is hereby required to take care that such oath shall be agreeable to the form hereby prescribed; and no objection in point of form

shall at any time thereafter be allowed to any such oath, when so signed.

And be it enacted, that in case it shall appear to such Assistant Barrister that the person claiming to register a Freehold is not entitled to register the same at the annual sum at which he seeks so to register, either in consequence of any objection to the deed, lease, or instrument so produced by him, or of the want of a legal estate of freehold, or in consequence of any defect in the title to such freehold, or of insufficiency within this act, in the annual value of the freehold claimed, or in consequence of any objection relative to any of the matters to be stated in the oath hereby required to be taken for registering such freehold, or of any other objection in point of law, such Assistant Barrister shall refuse to permit such person to register such freehold, and shall in that case make an order adjudging such person not to be entitled to register such freehold; and where any such order shall be founded upon insufficiency of value within this act, such order shall state such insufficiency as the ground of such order, or otherwise shall set forth the objection by reason whereof such person is adjudged to be not entitled so to register such Freehold; and where such order shall be made, such Freehold shall not be deemed duly registered within this act.

And be it enacted, that such order shall be without prejudice to any future application to register such Freehold, which the person claiming the same shall think fit to make at any subsequent General or Quarter Sessions of the Peace, as hereinafter authorised, provided such future application be made conformably to this Act.

Provided always, and be it enacted, that if any person against whose claim any such order shall be made on the ground of insufficiency of value, shall deem himself aggrieved thereby, it shall and may be lawful for such person upon the pronouncing or making of such order to require that a jury shall be forthwith sworn to try whether the Freehold claimed by such person is of the annual value within the meaning of this Act, at which he seeks to register the same; and thereupon the sheriff or other proper officer shall forthwith return the names of *Thirty-six* properly qualified persons to serve on such jury, and the names of the persons so returned shall be written on separate pieces of paper by the clerk of the peace, and by him shaken together in a box, and the first *Twelve* persons whose names shall be drawn out by the clerk of the peace, and whose attendance can be obtained, and who shall not be disqualified, or on some just and reasonable cause excused from serving as jurors, shall be the jury to try as aforesaid, and shall take the oath prescribed by the Seventh Schedule to this Act annexed; and the Assistant Barrister and the jury so sworn shall proceed to try whether the Freehold so claimed is of the annual value within the meaning of this Act, at which the person claiming the same seeks to register such

freehold; and if such jury shall give a verdict in favour of the claim to register, and the Assistant Barrister shall consider such claim to be in other respects well founded, the order so complained of shall be thereby void and of none effect, and such proceedings shall be had, such oath shall be taken, such proceedings had, and such Freehold registered, in like manner to all intents and purposes as if the order so complained of had been in favour of the person so claiming a right to register.

And be it enacted, that where any person, against whose claim to register any Freehold any order shall be made by any Assistant Barrister, on any other ground than insufficiency of value, shall consider himself aggrieved by such order; it shall and may be lawful for such person to appeal from such order to the Judge of Assize at the next Assizes for the county, who shall have power, on motion, to review such order, and either to affirm or reverse the same, as shall be fit; and in case such order shall on such appeal be reversed, the person so appealing shall be deemed to have registered such Freehold at the time when he originally applied for that purpose, upon taking, before such Judge, the oath hereby required; and the clerk of the peace shall, upon the production of such order of reversal, register such Freehold, and the Assistant Barrister and clerk of the peace shall sign a certificate thereof, and the same shall be delivered in like manner as should or might have been done in case an order for such registry had been originally made by the Assistant Barrister whose order shall be so reversed.

And be it enacted, that after the termination of the Session hereby directed to be first holden in any county in Ireland for the registering of Freeholds, it shall and may be lawful for any person desiring to register a Freehold in such county, to register the same at any General or Quarter Sessions of the peace, to be holden for such county, upon giving to the clerk of the peace a notice of his intention so to do, in the form hereinbefore provided

clear days at the least before the day appointed for the holding of such General or Quarter Sessions in the division wherein such Freehold shall be situate; and the clerk of the peace shall in each case proceed in all respects in the same manner as hereinbefore prescribed with relation to applications for registering Freeholds at the first Session for that purpose hereby directed; and the Assistant Barrister of such county is hereby authorised and required to hear and determine such application at such General or Quarter Sessions, in the same manner in all respects as is hereinbefore provided with respect to applications to register Freeholds at the Session for that purpose to be first holden under this Act; and thereupon the same proceedings shall and may be had, the like orders made, the like oaths taken, the like certificates granted, the like rights and powers of appeal enjoyed and exercised, and the like rules, regulations, enactments, matters and

things observed performed and followed, as if such application had been made at the first session for registering freeholds directed to be held under this Act.

And be it enacted, that the sheriff of each county in Ireland or his under sheriff, and also the clerk of the peace for each such county or his deputy, shall and each of them is hereby required to attend at every Session for registering Freeholds to be holden in his county under this Act; and in case any sheriff or under-sheriff, clerk of the peace or his deputy, shall neglect or refuse so to do, he shall forfeit the sum of *Fifty* pounds, to be recovered in the manner directed by the said Act passed in the thirty-fifth of the reign of King George the Third.

And be it enacted, that no person who shall before the passing of this Act have duly registered a Freehold so as to enable him to vote at any such election as aforesaid, according to the laws now in force in Ireland, and who shall in pursuance of this Act again register a Freehold, shall, upon such registry within this Act, be liable to the payment of any fee whatever for or in respect of any such new registry.

And be it enacted, that the clerk of the peace shall be entitled to demand and have from every person claiming to register a Freehold under this Act, save as hereinbefore excepted, the sum of *One* shilling and no more.

And be it enacted, that in every case where any Oath is by this Act required to be taken, every person being a Quaker or Moravian, shall and may make Affirmation in the form prescribed hereby for each such oath respectively; and that all provisions herein contained relative to any oath shall respectively extend and apply to every such affirmation.

And be it enacted, that if any person shall, in any oath or affirmation to be taken under this Act, wilfully and corruptly swear or affirm falsely, such person shall be deemed guilty of *Perjury*, and be liable to the same pains, penalties, and punishments as any person is now liable to for wilful and corrupt perjury.

And be it enacted, that if any person shall forge or counterfeit the signature of any Assistant Barrister or Clerk of the Peace to any certificate, or any instrument or writing purporting to be a certificate within this Act, or the signature of any person to any oath or affirmation, within this Act; or shall knowingly utter or publish as true and genuine any such forged or counterfeit certificate, instrument, writing, oath, or affirmation, every person so offending, shall be deemed guilty of *Felony*, and shall be liable, at the discretion of the Court before which he shall be tried, to be transported beyond the seas for the term of *Seven* years, or be imprisoned, with or without hard labour, for any term not exceeding *Three* years.

And be it enacted, that if any person shall refuse to be sworn, or to give evidence before any Assistant Barrister or Jury, upon the investigation of any such claim as aforesaid, without sufficient lawful excuse, to be allowed

by such Assistant Barrister, it shall and may be lawful for such Assistant Barrister to order such person to pay a fine, not exceeding *Ten* pounds, to be applied to the use of the county infirmary, or such charitable institution as the Assistant Barrister shall think fit, or in default thereof, to commit such person to the gaol of the county for any term not exceeding calendar months.

And be it enacted, that every person who shall duly register a Freehold within this Act at the first Session hereinbefore mentioned, shall be thereupon forthwith entitled to vote at any election to be held in and for the county for which such freehold shall be registered; and that any person who shall at any time after such first Session duly register a Freehold according to the provisions of this Act, shall be entitled to vote at any election to be held by virtue of any writ tested Six calendar months at the least after such registry; or in case such Freehold shall have come to such person by descent, settlement, devise or marriage, then at any election to be holden at any time after such registry.

And be it enacted, that it shall and may be lawful for any Freeholder who may be entitled by law to register a Freehold in any county in Ireland of the annual value of *Fifty* pounds, and who shall not before the passing of this Act have registered such Freehold, to register such Freehold either under this Act, or in any of the Superior Law Courts of Record in Dublin, in manner now by law authorized.

And be it enacted, that in case of any registry of a Freehold within this Act, the clerk of the peace for each county in *Ireland* shall keep the like books, make the like returns, and discharge and execute all other the like duties, matters, and things, as he is now by law authorized, entitled, or required to do, with respect to the registry of Freeholds in such county, save so far as is otherwise ordained by this Act; and that all matters and things now by law authorized or required for the due registration of such Freeholds, shall be in all respects done, performed, observed, and fulfilled, and all provisions, penalties, rules, orders, regulations, and conditions, relating to the registration of such Freeholds, and contained in any Act or Acts now in force, shall be used, applied, and enforced with respect to, and shall be construed to extend to, all Freeholds to be registered under this Act, as if the same had been herein enacted, save so far as is hereby otherwise provided.

And be it enacted, that in the county of Dublin, all Freeholds to be registered under this Act shall be registered before the Chairman [of the Sessions for that county, in the same manner, in all respects, as before the Assistant Barrister in any other county; and such Chairman shall have, exercise, perform, end discharge, every power, jurisdiction, right, authority, duty, and function hereby vested in or given to any such Assistant Barrister; and in any case where an appeal is hereby allowed

from the order of an Assistant Barrister to the Judge of Assize, the like power of appeal from any order of such chairman, shall and may, in the case of any Freehold in the county of Dublin, be exercised and enjoyed, to any of His Majesty's Superior Law Courts of Record in Dublin; and the Court to which any such appeal shall be made, shall proceed with respect thereto in the same manner as any Judge of Assize is hereby authorized or required to proceed.

And be it enacted, that every enactment herein contained relative to any Assistant Barrister or Judge of Assize, shall in the county of Dublin respectively extend and apply to the Chairman of the Sessions of that county, and to His Majesty's Superior Law Courts of Record.

Provided always, and be it enacted, that nothing in this Act contained shall extend or be construed to extend, to alter or in any manner affect the qualification now by law required, to entitle any person to vote at any election by virtue of any rent-charge.

And be it enacted, that the expenses of printing the notices, and of the advertisements hereby directed, shall be defrayed by the Clerk of the Peace in each county respectively; and the Grand Jury of each such county, or the Term Grand Jury for the county of Dublin, as the case may be, shall and may, and they are hereby respectively required, at the next Assizes or presenting Term, after such notices and advertisements, to present, to be levied off their respective counties in the same manner as other sums are authorized to be presented by such Grand Juries, all such sums as shall have been necessarily disbursed by such clerks of the peace respectively, which sums shall be paid to such clerks of the peace.

And be it enacted, that when the Session herein directed to be first holden for the purpose of registering Freeholds, shall have terminated in any county, the Lord Lieutenant or other Chief Governor or Governors of Ireland, shall cause notice thereof to be inserted in the Dublin Gazette; and that in case of a vacancy in the representation of any such county in this present Parliament, before the publication of such notice of the termination of the session for such county, no writ shall issue forth for the holding of an election of a Knight of the Shire for such county, until after the publication of such notice.

Provided always, and be it enacted, that if after the commencement of this Act, and before the publication of such notice of the termination of the said first Session in any county in Ireland, any election shall take place in pursuance of any writ issued for the Election of Members to serve in any new Parliament for such county, every person who would have been entitled to vote at any such election, in case this Act had not been made, shall be entitled to vote at the election to be holden in pursuance of any such writ; any thing in this Act contained notwithstanding.

And be it enacted, that nothing in this Act contained shall be deemed or construed to authorize any person now by law disqualified from voting at any election, to vote at any such election.

And be it enacted, that this Act shall commence from and after the next.

And be it further enacted, that this Act may be amended, altered, or repealed by any Act or Acts to be passed in this present Session of Parliament.

SCHEDULES referred to in this Act.

Schedule 1.

Form of Notice of holding the first Session for registering Freeholds under this Act.

County of .—Notice is hereby given, that a Session for the purpose of registering Freeholds in and for the said county, pursuant to an Act passed in the tenth year of the reign of King George the Fourth, will be holden on the day of next, at in the said county, before the Assistant Barrister, at which time and place, applications to register Freeholds will be taken into consideration.

Dated this day of G., Clerk of the Peace for the said county.

Schedule 2.

Form of Notice to be given to the Clerk of the Peace, of applications to register Freeholds.

Take Notice, That it is my intention to apply to register a Freehold in the county of the particulars whereof are as follow:—

Name and Residence of Applicant.	Description of Freehold.	Tenure.	Under what Title.	Yearly Value to be registered.

Schedule 3.

List of Applications to be entered by the Clerk of the Peace.

No.	Name of Applicant.	Description of Freehold.	Tenure.	Under what Title claimed.	Yearly Value to be registered.

Schedule 4.

Oath of Freeholder registering a Freehold of the value of Fifty Pounds, [or, Twenty Pounds, as the case may be] not arising from a Rent-charge.

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“I, A. B., of in the county of [or, of the town or city of] do swear, That I am a Freeholder of the county of and that I have a Freehold therein arising from a house [or, houses, lands, or both, or other hereditaments, as the case may be] of the clear yearly value of Fifty Pounds [or, Twenty Pounds, as the case may be] above all charges, outgoing and incumbrances, payable out of the same, lying and being at [naming the townland or townlands, and barony or baronies, half barony or half baronies, wherein the Freehold is situate] in the said county, and that a solvent and responsible tenant could afford to pay for the same, as an additional rent, fairly and without collusion, the annual sum of Fifty Pounds [or, Twenty Pounds, as the case may be], as I verily believe, over and above any rent which I am liable to pay for the same, and over and above all other charges and outgoing; and that the said Freehold does not arise from a rent-charge, and that the same arises by virtue of the deed, lease, or instrument, which I now produce [or, stating the tenure, as the case may be,] and that I have not accepted or procured the said Freehold fraudulently, nor in exchange for any Freehold in any other county, and that I do not hold the said Freehold by virtue of any lease, deed, or instrument, executed or made after the First day of July, one thousand eight hundred and twenty-three, to any person or persons, jointly, in common, or in partnership.

“So help me God.”

Schedule 5.

Oath to be taken by Rent Charger.

“I, A. B. of in the county of do swear, that I am a Freeholder in the county of and that I have a Freehold therein of the clear yearly value of Twenty Pounds at the least, above all charges payable out of the same, consisting of a rent-charge granted by deed, bearing date the day of in the year on the lands of [naming the lands mentioned in such deed, and the barony or baronies, half barony or half baronies, wherein the same lie], and that I am in the possession thereof to the clear amount of Twenty Pounds yearly, and am entitled to receive the same, as it becomes due, to and for my own sole use and benefit. So help me God.”

Schedule 6.

Oath of Freeholder registering a Freehold of the annual value of Ten Pounds.

“I. E. F., of in the county of do swear, That I am a Freeholder of the county of and that I have a Freehold therein, arising from a house [or houses, land, or both, or other hereditaments, as the case may be] of the clear yearly value of Ten Pounds, above all charges, outgoing, and incumbrances, payable out of the same, lying and being at [naming the townland or townlands, or other denomination by which

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the place is generally known, and the barony or half barony, or baronies wherein it is situate] in this county, and that a solvent and responsible tenant could, as I verily believe, afford to pay for the same, as an additional rent, fairly and without collusion, the annual sum of Ten Pounds, over and above all rent to which I am liable in respect thereof, and over and above all other charges, outgoings, and incumbrances, and that the said Freehold does not arise from a rent-charge, and that the same arises by virtue of the deed, lease, and instrument which I now produce, bearing date the day of

in the year [or, otherwise, stating the nature of the title, as the case may be] and that I am in the actual occupation thereof by residing thereon, or by tilling or by grazing, [or, by both tilling and grazing, as the case may be; and where the Freehold is held under any deed, lease, or instrument, adding these words, and that the said Freehold is not let, or agreed to be let, to the person or persons who executed the said deed or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her, or them, nor do I intend to let the same or any part thereof to such person or persons or any of them, and that I have not agreed to let it for the term for which I hold it] and that I have not procured or accepted the said Freehold fraudulently, nor in exchange for a Freehold in any other county, and that I do not hold my said Freehold by virtue of any lease, deed, or other instrument, executed or made after the first day of July, one thousand eight hundred and twenty-three, to any person or persons jointly, in common or in partnership. So help me God."

Schedule 7.

Oath of a Juror.

"You shall well and truly try whether the lands, tenements, or hereditaments, in respect of which C. D. claims to register a Freehold in the county of are or are not of the clear yearly value of Ten Pounds [or, Twenty Pounds, or, Fifty Pounds, as the case may be] over and above all charges, outgoings, and incumbrances, payable out of the same, and whether a solvent and responsible tenant could afford to pay for the same, fairly and without collusion, as an additional rent, the said annual sum, over and above all such charges, outgoings, and incumbrances, and over and above any rents to which the said C. D. is liable in respect of such Freehold, and a true Verdict give according to the evidence. So help you God."

ROMAN CATHOLIC CLAIMS — PETITIONS FOR AND AGAINST.] Mr. *Tuite* presented nineteen petitions from the County of Westmeath in favour of Catholic Emancipation. The hon. member then proceeded to describe the efforts made by

the Brunswick Clubs in Ireland to inflame the minds of the people. He held in his hand one of the papers which had been widely circulated by the chief Brunswick Club of Ireland, and addressed to the people of Great Britain. This paper contained a speech made by a gentleman high at the bar, at a public meeting, which speech was one of the most inflammatory libels that had ever been uttered with reference to this subject. Yet the learned gentleman (serjeant Lefroy) by whom this libel was uttered was appointed to go one of the circuits in Ireland as a judge of the assize. One of the passages in the speech was this, that a king who suffered himself to be misled by evil councillors forfeited his right to the Crown, and absolved his subjects from their allegiance. What must the people of Ireland—particularly the Roman Catholic portion—expect, when they came before such a man for justice. Would it not be natural for them to suspect the administration of justice, or the due explanation of the law, by a man who could use such intemperate language? He understood that no man bore a higher character in private life; but was it natural to suppose that he could be wholly unbiassed in his decisions, wherever a subject connected with party might come before him? In the address sent forth from the Brunswick Club of Ireland to the people of this country, it was said, "The people of Ireland are with you—resent—resist." Why, this was a call for opposition to their fellow-subjects, for their extermination. It was nothing more than a renewal of the threat of "to Hell or Connaught," denounced against the Catholics, at the time of the Rebellion. It was a call to resist the measures introduced to parliament by ministers, at the gracious recommendation of his majesty. It had been found necessary to put down the Catholic Association in Ireland by legal measures; but when that was done, he thought government were bound also to put down the Clubs from which such addresses emanated. The Catholic Association, if its deeds could not all be justified, had at least the excuse of acting under the feeling of great wrongs. The Brunswick Clubs had no such excuse. They suffered no privation of civil privileges; and, on that ground, their violence was neither justifiable nor excusable.

Mr. *Moore* said, there were some obser-

vations of the hon. member which he could not suffer to pass without remark. The learned gentleman on whom the hon. member had so freely commented, was a highly respectable member of the Irish bar, and most estimable in all the relations of civil life. He was sure the hon. member had not read the whole of the speech to which he had referred; or, if he had, it must have been through a very distorted medium. If he had read it with attention, he would find that it was as constitutional a speech as had ever been delivered. It would be admitted, that arguments drawn from the principles established at the Revolution were delicate topics, and could not be fairly represented by the extract of a few isolated words about the forfeiture of the Crown, or the absolution from allegiance. He had read the argument on the point in question. It was very strong on the principle it sought to establish; but it was one which might be very fairly used, and which, in point of fact, had been used in that House and elsewhere, and certainly was not of an inflammatory character. It was no more than an allusion to the preamble of the Act of Settlement, in which it was stated, that whereas king James 2nd, by listening to the evil advice of Jesuits, and other evil councillors, had forfeited his right to the Throne, &c.; and from thence occasion was taken to warn the people against any sanction of measures which might again introduce to the royal ear similar councillors, leading to the like unhappy results. Surely this could not be considered an unconstitutional mode of arguing the question. He could further state, from his knowledge of the learned gentleman alluded to, that there was no man, who would be less willing to advise any course which had a tendency to disturb the public peace, or produce the slightest irritation in the public mind.

Mr. *Green* presented a petition against Catholic emancipation from the inhabitants of the hundred of Lonsdale north, in the county of Lancaster.

Lord *Stanley* said, he had heard, from a statement made by a noble lord in another place, that the people in that part of the country from which this petition came were in a state of consternation, confusion, and dismay, at the measures which had been introduced into the House; but he was now relieved from his apprehensions as to that fact, by the silence of

his hon. friend on the subject; for no doubt, if the country was in that state, his hon. friend would have felt it necessary to mention it in presenting the petition. He was happy to say, from the information he had received, that the proposed measures did not fill men's minds with so much alarm as some hon. members seemed to think. Of the magistrates in the neighbourhood, there was only one in four who was not in favour of concession. He would admit that the zeal of some gentlemen who took a different view of the question, might be said to make up for this deficiency. He had heard of one clergyman, in whose church a printed form of prayer was distributed, and copies laid in every pew, and it was announced by the clerk during service, that copies of the prayer might be obtained, to be taken for the use of those who had not been able to attend. This was "a prayer to Almighty God, to remove vain and wicked men from before the King." How far it would have the intended effect, it was not for him to say. Of this clergyman, a circumstance was mentioned, that when the bill for relieving the Roman Catholics was before the House on a former occasion, he was invited to dine with a neighbour, but he sent an apology, excusing himself, on the ground that, while so awful a measure was pending, he could not think of going out to dine any where [a laugh]. He supposed that as the measure now before the House was introduced under much more favourable auspices than heretofore, the rev. gentleman would not only not go out to dine, but betake himself at home to fasting and prayer, to avert the threatened calamity. With respect to the petition, he had been informed, that it was carried from house to house for signatures, that it was taken to the slate quarries and mines, and that out of a population of five thousand in those quarters, it obtained no more than thirty signatures. This did not prove that part of the country to be in the state of consternation and dismay in which it had been represented.

Mr. *Greene* said, he did not know what had been stated in another place, but this he could state, that as far as this petition went, it spoke the sentiments of a very large and respectable portion of the inhabitants of that part of the country. That there existed a very strong feeling on this question, was proved by the fact, that the

king's Speech reached the place on the Saturday after it was delivered. The petition was agreed to on the same day, and was sent to him on the following Wednesday.

Sir *G. H. Smyth*, in presenting several petitions from Essex against emancipation, said, he could not but feel dissatisfied at the indecent haste with which the measures brought forward had been introduced, and were to be pressed. After the announcement in the king's Speech, it had been said, that ample time would be given; and then the minds of many were quieted by the statement of the duke of Wellington, that he would introduce such a bill as would give satisfaction to all parties. But, what was the nature of the bill now before the House? It gave no securities whatever. It was, to all intents, complete and unqualified emancipation. Such a measure he had no hesitation in saying, was in direct opposition to the declared opinions of the great majority of the people of this country. It had been too much the fashion of late to endeavour to detract from the importance of petitions—to call the petitioners stocks and stones; but such measures as these were sufficient to cause the very stones to rise. When his constituents on a former occasion, asked his advice as to the course they should pursue with respect to the Test Act, he advised them to keep quiet, to wait for a general election, and they could then act in a becoming manner towards those who had betrayed their trust. He would say the same to all electors on the present occasion; and he had no doubt that a large majority of those who now set the opinions of their constituents at defiance, would have cause to feel deep regret at their conduct.

Mr. *M. A. Taylor* said, he did not know to what the hon. member could apply the term "indecent haste;" certainly not with justice to the course which had been pursued with respect to the bills before the House. They had been told, on the first day of the session, that measures would be introduced, which would have the effect of healing the wounds, which had so long affected Ireland. More than a month had since elapsed, and it was only that evening that the promised bills were introduced. They were ordered to be read again on Tuesday next, and that only the second reading; after which there would be several opportunities for objecting to the bills, and ample time for

any further petitions which might be sent to the House. Day after day, since the beginning of the session, petitions had been presented in large numbers, and discussed to an extent almost unprecedented; and yet hon. members said, that respect was not paid to the petitions of the people. The hon. member had said, that members would be made to feel the effect of their present votes at a general election. Now, he represented a populous place, and he was not afraid to meet his constituents to-morrow. He had done the best he could on this subject, and he had no fear of any consequences which might be anticipated from a general election. What was the course they were about to pursue? While the establishments of the country would be impregably secured, we should heal those animosities which had so long agitated the country, and which had endangered those establishments infinitely more than the measure now before parliament could possibly do. Why, then, talk of the risk of a general election? He might not live to see the next parliament; but whether he did or did not, there was nothing which would give him greater satisfaction than his having assisted in this great work of Christian benevolence and Christian charity. When he saw so many of the clergy active in getting up petitions against this measure, he could hardly think that they understood the nature of their religion; or, if they did, that it had but very little influence on their acts. For what did religion teach? To do good to all men. He knew that prejudices existed; but those prejudices were increased by groundless statements of danger to the constitution. He knew of no danger to the constitution, except that which arose from allowing a question which set one portion of the people in hostility to the other to remain unsettled. The alarms that had been excited, that parliament was going to change even the throne itself, were absurd, and would be ridiculous, but for the excitement which they were calculated—as no doubt they were in many cases intended—to create. When, however, those feelings should have subsided, and the people considered the measures before parliament with more calmness, no doubt they would be rejoiced that the Houses of parliament had agreed to propositions so directly tending to promote its peace and prosperity.

Mr. D. W. Harvey said, that his hon. colleague had observed, that in a general election the people of the country would not forget those members who had betrayed their trust. He knew not whether his hon. colleague alluded to him ["No," from sir G. H. Smyth], but this he could say, that he had never betrayed his trust. He had never deceived his constituents, for he had never given them any pledge. But, notwithstanding the excitement that had been caused amongst his constituents, if there was to be a general election to-morrow, he should not be afraid to meet those constituents and to lay before them the grounds on which he acted; and he felt perfectly satisfied that the result would not be such as his hon. colleague seemed to think. If his constituents—laying aside the consideration of the part which he had acted on other questions—would, in a letter, signed by a majority of them, say to him, that it was their opinion that he had betrayed his trust, by voting as he had done upon this question, he would not wait till the arrival of the next general election, but would immediately resign the seat which they had bestowed upon him; for he never would consent to hold a seat in that House without having the right to exercise his judgment, freely and impartially, upon all questions which might come before him.—He wished, as he was now addressing the House, to say a few words in explanation of what had fallen from him on a former night, when a petition against these claims was presented by his hon. colleague; and the necessity for making this explanation might be taken as an apposite instance of the inconvenience arising from the custom of making a debate on each petition, as it was presented. What he had said upon that occasion was this:—"I do not think that the measure proposed by ministers will comprise all the advantages which a more extended arrangement would secure to Ireland; and I apprehend that, when this bill passes into a law, there will be still sources of discontent existing in Ireland, sufficient to disappoint the government in its expectations of restoring permanent tranquillity by it to that country." He had likewise said,—"I am of opinion, that one of the most fertile sources of that discontent will be the state of the church of Ireland; and I think that no measure will consolidate the interest of the two countries so much as taking into immediate

consideration the state of the ecclesiastical revenues of that country." An hon. gentleman (continued Mr. Harvey) upon my declaring these sentiments, assumed a tone which he had no right to assume, towards me or towards any other member, upon that or upon any other question. He took upon himself a part which he is by no means unwilling to play—I mean the part of parliamentary lecturer to those who will not harmonize with his views, and will persist in voting, not according to the impressions of his mind, but according to the impressions of their own. That hon. member will pursue, of course, the step which he thinks proper; but I would advise him to reserve his lectures and admonitions for such members as are weak enough to fancy that they may profit by them. For my own part, I tell him frankly, that I do not conceive myself to stand in need of any admonitions that he can bestow. I must, however, confess, that after the admonition which he volunteered to bestow upon me, I was astonished beyond all measure at hearing his protest against the remarks which I had offered to the House, and his declaration that he would oppose this measure of Catholic relief, if he thought it had the slightest tendency to affect or injure the interests of the Protestant Church. The boldness—I ought rather to say the rashness—of such an assertion, excited my surprise; and I was induced, by the violence of the disclaimer, to conjecture that the hon. member had, on some former occasion, been actuated by impressions somewhat similar to my own. I consulted the records in which the opinions of hon. members of this House are preserved; and I found that the hon. member who had ventured to send me this lecture had, upon the motion proposed in the year 1825, by my hon. friend, the member for Montrose, as to the propriety of making a revision of the ecclesiastical revenues in Ireland, actually voted in the minority. How the hon. member can now say, that he will oppose this great measure of Catholic relief, if it be calculated to affect, in the slightest degree, the revenues of the church of Ireland—how he can make such a declaration after the vote which he gave in support of the motion of my hon. friend, it is for him, not for me, to reconcile. I do not venture to advise him what course he ought to follow; and I hope, that in future he will not throw away his advice

upon me. I consider myself to be quite as independent, and quite as capable of thinking and acting for myself, as the hon. member is, to think and act for me. For though I am not, nor have ever been, one of the noisy and clamorous adherents of the Roman Catholics, I will venture to say, that there is not a more constitutional supporter of the Protestant church in the whole country than I am. I am not an enemy to a national church establishment, nor have I ever professed to be one. I hope that my hon. colleague, whatever he may say about other gentlemen, will not say that I have abandoned any pledges which I gave to my constituents at the time of the election.

Mr. *Spring Rice* said :—After the direct allusion which the hon. member has made to me personally, I trust that it will not be thought an unwarrantable liberty if I offer a few remarks, in reply to the observations which have been made on the present occasion, after due deliberation, by that hon. member, who had a fuller and a better opportunity of replying to my remarks at the time when they were fresh in the recollection of all than he has now, when, after three days' preparation, he comes down to the House to direct against me the speech which he has reserved so long within his own bosom. He has charged me with the practice of reading lectures to hon. members as to the course which they ought to pursue in the performance of their public duties in this House. In the first place, I appeal to those who have seen the whole of my public conduct, during the ten years I have had the honour to have a seat in this House, and I ask them whether I have, upon any occasion, ever ventured to read a lecture to gentlemen who differed from me in opinion, or to force my own views of public questions on other members, as the grounds on which they ought to form theirs. I hope, I may say, that I never intruded my advice upon any individual, unless there was a fit occasion for so doing; but if I should be mistaken upon that point, and it is the unfortunate bent of my disposition to read lectures in this House, in order to make disciples to the cause which I espouse, I am sure the hon. member for Colchester is the last individual on the face of the earth whom I should endeavour to make a convert to my opinions, having, I can assure him, no wish to acquire his support upon any occasion. The hon. and learned mem-

ber must, however, allow me to say, that in his version of this night he has varied altogether the statement which he made to us on a former evening. If the hon. member had confined himself to the statement which he has now offered, I should not have thought it worth my while to make the slightest comment upon it. But the hon. member was not quite so cautious in his former statement; as the House will perhaps recollect. For what was the hon. gentleman's statement on that evening? He was declaring the grounds on which he supported the measure proposed for the relief of the Roman Catholics, and he then stated, as distinctly as words could state, that his reason for supporting that measure was his conviction, that if it were passed, it would lead to a combination between the Catholics and the Protestant Dissenters from the established church of Ireland, for the purpose of making a joint attack upon its revenues and emoluments. That was the statement of the hon. member on the former evening[hear]. I am sorry to be compelled to allude to what occurred on a former night; but if hon. members are so irregular as to refer to our past debates to find subjects of accusation against me, I am excusable in imitating their irregularity, not with a view to attack others, but to vindicate myself. If, then, the vote of the hon. member be given on such grounds as he has stated, to the bill for the removal of civil disabilities from the Catholics, I, friend as I have been from my infancy to the Catholics, would rather have his vote opposed to me, than see the cause to which I am attached, burthened, I will not say with the disgrace, but with the inconvenience, of his support. The hon. member says, that I am inconsistent in my conduct, because I formerly supported a motion for inquiring into the revenues of the church of Ireland, and because I now declare myself opposed to any measure which may have a tendency to injure the interests of that church. I tell the hon. member, that I am not guilty of the inconsistency which he imputes to me. I have been from the earliest period of my existence an attached member of the church of Ireland; and I am quite sure that I have never supported any motion which had a tendency to diminish the revenues of that church. I tell the hon. member, that on the occasion to which he alludes, the division was taken, not on the motion of

my hon. friend, the member for Aberdeen, but on an amendment proposed by my right hon. friend, the member for Waterford. I always have been, and still am, ready to acquiesce in any inquiry into various parts of the law affecting the church establishment of Ireland. I have supported various motions for inquiry into the laws respecting the leasing of the church property, respecting tythes, and respecting education, as connected with the established church of Ireland; but I will give up the whole point in dispute, if the hon. member can show me that I ever, either by vote or declaration, acquiesced in the doctrine which he laid down in the late debate, that the achievement of Catholic emancipation was a consummation most devoutly to be wished, because it would create facilities for making a united attack by Catholics and Protestant Dissenters on the established church of Ireland. I have always dissented from such doctrines, and I shall not be inclined to agree to them the more because they meet with the assent of the hon. member for Colchester. The two questions are distinct and independent; or, if there is any connection between them, it is very different from that which the hon. member represents. I believe, if there be one measure better calculated than another to give peace to the population of Ireland, and to preserve the Protestant church as established by law in that country, it is the series of measures now under discussion. They will unite the divided feelings of the Protestants of Ireland in support of every Protestant institution; and, what is no less desirable, will conciliate the excited feelings of the Catholic population. They will diminish the feelings of hostility with which the Catholics view our church establishment; they will diminish the number of its enemies; and by so doing they will ensure its preservation.

Mr. *D. W. Harvey* pledged himself to prove, from documents that could not be questioned, that the hon. member had voted for a proposition which was resisted by Mr. Plunkett, on the ground that it would be injurious to the church establishment.

Mr. *Butler Clarke* observed, that having attended closely to the discussion referred to, he must say that, however the hon. member for Colchester might have qualified it on this occasion, he had certainly said, that the settlement of the Catholic

question would lead to a consideration of the emoluments of the Established Church. Now, he who had the honour to represent a southern county in Ireland, almost entirely inhabited by Catholics, could positively state that, on the subject of tithes, there was very little dissatisfaction. The Tithe Commutation act had enabled the people to get rid of the evils they had formerly endured.

Mr. *Brownlow* said, that if the objects which the hon. member for Colchester wished to see accomplished by the success of the Catholic question were such as he had described in his speech of a former night, he must be permitted to express, in the most explicit terms, his disavowal of any, the slightest participation in the hon. member's views. He believed that, if the hon. member for Colchester did really entertain such views, and did seriously hope that the concession of the Catholic claims would be attended with dangerous consequences to the interests of the established Church, he was still single in his opinions, and could not find in the large number of members who had pressed forward to support Catholic emancipation, any one to support his theory. If he understood any thing of the ground on which the settlement of the Catholic question was generally advocated,—if he knew any thing of the ground on which he had always advocated it himself,—it was on the ground, that the Protestant Church establishment, and the Protestant institutions generally throughout the empire, and particularly in Ireland, would be placed in imminent danger by the deferred adjustment of that question. He was quite certain, that the Roman Catholics had no hostility to the established Church of Ireland, as a religious establishment. It was true, there had been feelings of hostility engendered between the Protestant and the Catholic Churches; but such feelings of hostility had arisen, not from religious, but from political ill-will, and were attributable, in the main, to the undeviating perseverance with which the clergy of the Protestant Church opposed themselves, on all occasions, to concession of the civil claims of the Roman Catholics. He was convinced that when this question, which had been so long and so obstinately debated, was once settled, by the concession of equal rights and equal privileges to all sects and denominations of his majesty's subjects, the settlement of it would turn out to be

greatly for the advantage of the people of Ireland; that the violent ill-will of the Catholics to the Protestant establishment, would subside, and that our Catholic fellow-subjects would soon discover, that they had no interest whatever in the overthrow of the Protestant Church of Ireland. If, however, the result which he anticipated should not take place, and if the apprehensions which some persons entertained, as he conceived very needlessly, should be fulfilled, the Protestants of the empire would be united as one man in defence of their religion and its institutions, and that would be in itself a great advantage derived from the adjustment of the Catholic question. On these grounds he maintained, that the right hon. Secretary had not deserted any of the grounds which he had formerly taken on this subject; and that his affection to the Protestant establishment had induced him to place it in the only position in which it could be placed, with safety to itself, and with advantage to the country at large. He had been anxious, before this discussion arose, to address one or two words to the hon. member who had said, that the measure proposed by his Majesty's government was unqualified and unconditional emancipation, and had therefore filled the country with feelings of just and terrible alarm. Certainly, it was full, fair, and liberal emancipation. That he admitted it to be; and for that he, for one, was grateful. So, too, were the Roman Catholics. The hon. member, however, was much in the wrong, when he stated that the bill which had now been read a first time, gave unqualified and unconditional emancipation. There were conditions, and heavy conditions too, attached to it,—conditions, which were probably attached to it for the purpose of removing the apprehensions of danger which some persons felt from the influx into parliament of a great number of Roman Catholic members, who were opposed, as such persons supposed, to all the interests of the kingdom, and determined to upset them. How were those apprehensions to be realized? The hon. member said, “by means of the priest-ridden population of Ireland.” Be it so: then what did the right hon. Secretary propose to do to remedy such an evil? He saw the elective franchise in the hands of a population influenced by their priests, and likely to return to the House of Commons individuals, who, acting under the

same influence, might be tempted to seek the subversion of the Protestant Church; and he accordingly introduced into parliament a bill for the disfranchisement of those very persons who were stigmatised as being likely to abuse the political power intrusted to their keeping. That bill was a very severe measure, and one against which his feelings much revolted; for the manner in which the forty-shilling freeholders had exercised their franchises was above any praise which could be bestowed upon it. Those poor men had looked the danger boldly in the face; and he wanted words to express his gratitude to the brave, and gallant, and generous men who had come forward so nobly and independently at the last election. That, however, was not the view of their conduct taken by other individuals: no; these men were parts of an ignorant and a priest-ridden people. If this were true, then had the right hon. gentleman opposite met this contingency in the very mode in which, of all others, it ought to be met, and had given his opponents a measure of greater security for the Protestant constitution, than any which he had ever heard suggested. If, however, the right hon. gentleman were to pass all the years of his life,—and for the benefit of his country, he trusted that the right hon. gentleman had still many happy years to pass,—in devising securities, he would labour in vain, if he expected to satisfy the opponents of emancipation; because, devise what securities he might,—and better securities than the present he could not devise,—they would still find something in them to object to; there would still be the same outcry and resistance; and all because the securities were to be accompanied by the grant of equal rights and equal privileges to seven millions of their fellow-countrymen.—Then, as to the indecent haste with which this measure was said to be pushed through parliament. He protested against such an assertion. There was not the slightest ground for making it. We heard nothing about indecent haste, when the bill for the suppression of the Catholic Association was passing through parliament; there was not then a single word said, there was not a single prayer for further time, but every thing was considered to be as it should be, when the object was to arm government with the extraordinary powers of that bill. Propose a penal Bill, or a measure which was to coerce the people

of Ireland, and the right hon. gentleman might pass it as quickly as he pleased. But, as soon as the right hon. gentleman came forward with a measure of grace and concession, and a proposal to confer equality of rights upon all classes of the people, the haste was indecent, the proceeding was indelicate, and every opponent to the Roman Catholic claims was marshalled in array against him. He was sorry that the right hon. gentleman had yielded even a single day to the importunities of such persons; he trusted that the right hon. gentleman would on no account extend the time which he had already granted to them; but that he would persevere in bringing on a question so important to the peace and prosperity of Ireland, on the 17th of March, the festival of the titular saint of that Island.—Perhaps, as he was now on his legs, he might be allowed to say one or two words on the subject of the curtailment of the elective franchise. He was delighted, he repeated, with this Catholic Relief bill; he had never expected to obtain a better. The right hon. gentleman had gone to the root of the disorder, by cutting out of the social system of Ireland its religious distinctions. He gave the right hon. gentleman his hearty thanks for the open, manly, and statesman-like, course which he had pursued. He was quite satisfied and happy, when he looked at the first part of this measure of relief; but, undoubtedly, there was a considerable deduction in the ecstasy of his feelings, when he looked at the second part of it—the disfranchisement bill. He thought that the forty-shilling freeholders deserved any thing but that. The House might believe him when he stated, that they were not a priest-ridden people. The motives upon which they had recently acted were not of a religious, but of a national character. Their priests saw the way in which the current of national feeling was setting, and all they did was to follow it. If that question were left open for consideration, he would venture to promise that he could establish his last position to the satisfaction of every member in that House. He candidly confessed that he did not like this bill for the disfranchisement of the forty-shilling freeholders: indeed, nothing could be proposed more grating to his feelings than to have these poor, but high-minded freeholders, visited by a measure which to them would have all the consequences of a penal law. It was not,

however, to be forgotten, that the right hon. gentleman had made a great sacrifice of feeling in bringing forward this relief bill; and, therefore, he should feel it to be his duty, in his humble station, to make a sacrifice of his feelings also; and nothing should prevent him, however his feelings might revolt against it, from paying the great and costly, and all but extravagant price, which was asked for the great measure of Catholic emancipation. Pay it he would, whatever might be the expense; for heavy would be the responsibility which would fall upon those who should shrink from the duty of bringing this long agitated question to a successful termination.

Mr. Secretary *Peel* said, he rose for the purpose of deprecating any further discussion on the merits of a bill which was not at present regularly before the House, and especially on the erroneous principles on which the hon. member for Armagh had ventured to argue it. He entreated the hon. member to consider, whether it was proper to found his argument against the disfranchisement bill on the gratuitous assumption, that it was a penal law inflicted by the government on the lower orders of the Catholic population of Ireland. It ought never to be considered as a penal law affecting only one part of the population, for he proposed to extend the principle of disqualification which the bill contained to all the forty-shilling freeholders alike whether Presbyterian Dissenters, Roman Catholics, or Protestants of the church of Ireland. He entreated the hon. member to recollect, that he maintained the franchise of the freeholder inviolate, where it was to be exercised in corporate towns in conjunction with freemen, so that this measure ought not to be represented as a measure not founded in equality and justice. He would entreat the hon. member to read the evidence given by Roman Catholic gentlemen and by Roman Catholic ecclesiastics to the committee appointed to inquire into the effect of the present mode of exercising the elective franchise in Ireland. He would also entreat him, whilst reading that evidence, to recollect, that it was given at a time, and under circumstances, which prevented it from being suspected. The respectable individuals to whose evidence he alluded, stated their opinions in very decisive terms as to the effect which raising the amount of the elective franchise would have in

raising the independence of the peasantry. Let him read that evidence, given by the Roman Catholics themselves, and then say whether it was fitting to hold up this bill as a bill which was going to introduce a new penal law into Ireland. There were many other matters of importance, which ought to be considered in forming an opinion on the propriety of passing the disfranchisement bill. Was there any want, for instance, more seriously felt in Ireland, than the want of an independent yeomanry, that connecting link between the aristocracy and the lower orders? Let the hon. member consider the effect that the proposal to raise the elective franchise would have in raising up such a class, and in giving to the country a body of respectable and independent voters. He would not have alluded to this bill at all to night, if the hon. member for Armagh had not rested his argument against it on grounds on which it ought not exclusively to rest. He had examined into the number of voters registered in the hon. member's own county; but, as it would be invidious, he would not mention what the result of his inquiries had been, or what the conclusion had been which he deduced from it. He would therefore take another large and populous county in Ireland, and would inform the hon. member, that by the inquiries which he had instituted in that county, he found that, since the year 1823, twenty-three thousand seven hundred freeholders had been registered, and that of this number nineteen thousand two hundred and five were marksmen, who could not write their own names. For voters of such a character, he proposed by this bill to substitute a class of really respectable and independent electors. In another county, where from ten thousand to fifteen thousand voters had been registered within the same time, he had ascertained that not more than a hundred had applied to be registered at their own instance, and that the registration of the rest had been made at the instance and expense of liberal clubs, or of gentlemen, who expected the votes of the freeholders so created to be given as they directed. Let the House take these points into their consideration. Let them look at the representations which had been made upon this subject by intelligent and disinterested witnesses, and then, if they were satisfied that the cause of religion would be promoted by cutting off the temptation to perjury

which these fictitious freeholders presented—if they were satisfied that it would give a higher tone to the peasantry—if they were satisfied that it would raise a respectable and independent body of electors—let not the period of its introduction to their notice be an insuperable barrier to the passing of a measure, which, independently of its connexion with the Roman Catholic question, was likely to be productive of great and permanent benefit to Ireland. He admitted that it would not be easy to calculate the number of freeholders which there would be in each county, under the improved system which his bill was intended to produce. Even if the number of 20*l.* freeholders were known, it would not be easy to determine how many freeholders there were with 10*l.* or 15*l.* a year, inasmuch as all freeholders under 20*l.* a year were registered merely as forty-shilling freeholders. In one of the extensive and opulent counties in Ireland to which he had directed his inquiries he had ascertained, that there were two thousand two hundred and sixty-eight 50*l.* freeholders. Now, if upon such a datum he might venture to conjecture what the number of 10*l.* freeholders would be in that county, he thought there would be a probability that they would get, not only in that county, but in the other counties of Ireland, exactly that class and that number of voters which he should most wish to see in possession of the elective franchise. He should not have been tempted by any considerations personal to himself to say thus much, but it appeared to him to be necessary to see that this question was rested upon other grounds than those which the hon. member for Armagh had stated; that it ought not to be considered as the purchase of the Catholic Relief bill; and above all, that it ought not to be considered as a penal law inflicted upon the forty-shilling freeholders for the decisive part which they had taken at the late elections.

Mr. Brownlow:—I have never, in the whole course of my public life, been more unfortunate in the declaration of my sentiments, than I have been this night, if I have seemed to throw any discredit on the second part of the great measure for the general relief of the Roman Catholics. My feelings go all the way with the right hon. gentleman. I supported this disfranchisement bill when it was brought forward in 1825, and I shall support it

now. It is in my opinion full of good, and it makes the measure for the relief of the Catholics a better measure than it would be without it. Whenever this bill is brought under our notice, I shall feel it my duty to throw all feelings of opposition aside, and to give it my decided support.

Sir C. Cole said, that one of the parties interested in this question was for granting no concession, and the other was for granting no securities. The government, as it appeared to him had acted wisely in stepping in between these two parties, and telling one "we will grant concession;" and the other, "we shall demand securities." Although he intended to support the great principle of these bills, he was obliged to say, that the security proposed did not go to the extent which he wished. He would not, on that account, throw any obstacle in the way of a measure which he believed was calculated to produce such beneficial consequences to the country, as would secure for it the approbation of every friend of Christian principles.

Sir T. Gooch, in presenting two petitions against concessions to the Catholics from Suffolk, protested against the manner in which the petitions of the people were received in that House. He had seen many petitions vilified and dragged through the dirt by the vindictive eloquence of the gentlemen opposite. He considered such a practice extremely censurable, as the poorest man had as good a right to express his opinion upon this question as his betters. In the able and eloquent speech which the right hon. Secretary had delivered the other night, he had said, that a great number of gentlemen in that House had given nothing but a silent support to the views which they entertained on this great question. He was one of those gentlemen, and he would shortly state the reason why he had never spoken in the debates upon this question: it was because he had thought that the subject was too great for him to grapple with. He thought that it would be presumption in a person of his calibre to intrude himself upon the House when so many more able and eloquent men were anxious to address it. His right hon. friend had drawn a contrast of the opinions entertained by the representatives of counties and of large towns, on both sides of this question, and from that contrast it appeared that the numbers on both sides were nearly equal. He had also

appealed to the result of the last general election; but that test was not satisfactory, inasmuch as it was not announced to the people at the dissolution of the last parliament, that the House of Commons which they were going to elect was to make a definitive settlement of the Catholic question. What, however, had been the result of the poll in all elections which had been held in populous places since the annunciation of these new measures? The only two places in which there had been any thing like popular elections were Oxford and Newark [Hear, and a laugh]. He was told that there was a third place—Carlisle. He had not any personal acquaintance with the hon. member for Carlisle, and therefore he could not tell how he intended to vote. At Newark, however, anti-Catholic principles had gained a glorious and a signal triumph; and the University of Oxford had done itself immortal honour by rejecting his right hon. friend, and returning in his stead the hon. baronet, who was now its representative. The University had resisted every effort which had been made by interest and influence to corrupt her; and had returned, to her immortal honour, one of the most high-minded and uncompromising opponents of Popery. His right hon. friend had also been returned: but, by whom? His right hon. friend had found a numerous constituency in the person of sir Manasseh Lopez, who had proposed him, seconded him, and returned him to parliament as a fit person to represent his ancient and populous borough of Westbury. He did not mean to say that, being so returned, the right hon. gentleman did not represent the opinions of the people of England, as well as any other member; but he believed it would be conceded, that his return, under such circumstances, could not be considered as proving that the feelings of the people of England were favourable to the bill which he had introduced.

Mr. Davenport said, that if the importance of the petitions were to be measured by the Imperial bushel, or by their specific gravity, rather than by their intrinsic merits, the arguments of which the hon. member for Suffolk had just delivered himself would be difficult to reply to; but, when he considered that the prayer of these petitions, in the opinion of three hundred and sixty members of that House was adverse to the peace, prosperity, and

security of the country, he must ask the hon. member to excuse him, if he could not receive these petitions with the profound respect to which that hon. member conceived them entitled. He wished for a moment to examine the title of petitions of this nature to the recommendation of the House. Did the petitioners complain of partial grievances which they themselves endured? Did they complain of corrupt or unequal representation? No: but they complained, that others sought the enjoyment of civil and religious freedom; that others sought a redress of severe grievances. This was most inconsistent with the generosity of the British character, and would, he trusted, be treated as it deserved.

Sir *F. Blake* said, he did not question the right of the people to petition, but he objected to the abuse of that right; which had so often been the case during the present session.

Mr. *Hudson Gurney* said, that the grossest misrepresentations were used in getting up these anti-Catholic petitions.

Mr. *Peel*, in allusion to what had been said of the inattention of the House to petitions, remarked that they had devoted last night up to eleven o'clock to their presentation, and the whole of this evening likewise. So far from inattention, he never remembered so much of their attention bestowed upon petitions.

RIGHTS OF EXECUTORS.] Mr. *Spring Rice* rose, to move for leave to bring in a similar bill, to explain the law respecting Residuary legatees, to that which passed the House last session, but had been lost elsewhere. His object was, to remove the uncertainty upon this branch of the law. As the law now stood, it was a matter of doubt whether the effects of a testator remaining after the distribution of legacies went to the next of kin, or remained vested in the residuary legatee. He reviewed the amendments which had been attempted to be made in this law so far back as the year 1725, and contended, that, instead of property so placed being vested in the residuary legatee, it ought to pass to the next of kin; but at present the real intentions of many testators were frustrated by their ignorance of the rule of law. The hon. member concluded by moving "for leave to bring in a bill to make better provision for the disposal of the Residue of the Effects of Testators."

The *Attorney-general* observed, that no man was so ignorant as not to know, that unless he specially devised the residue of his property to his children, it must go to the executors. If it were otherwise—if it happened that in ignorance of the law, a testator, contrary to his intentions were to dispose of his property in a manner to cause the distribution of a part of it among his executors instead of his immediate relatives—that, undoubtedly, would be a case of great hardship; but such a case had never occurred within his knowledge. He thought it better to allow the law to remain as it stood at present. An alteration such as that proposed by the present bill could only have the effect of letting in unknown and unheard of relations. The existing rule of law was universally known and acted upon; and he believed he was not out of compass in saying, that a hundred years must elapse before the altered law would be generally known throughout the country. This alone was an objection conclusive in his mind against the proposed bill.

Dr. *Lushington* supported the motion. The consequences of the law as it now stood were innumerable vexatious lawsuits, arising from the uncertainty whether the residuary effects of testators belonged to the executors, or to the next of kin. It appeared to him, that as in devises of real estates, the undevised property devolved upon the heir at law, so ought residuary effects in personal property to belong to the next of kin. The analogy was correct; and, at the same time, the principle was conformable both to equity and justice. The heir at law was not disinherited, except by devise; neither ought the next of kin to be deprived of the residuary effects of the testator, except by a positive bequest.

Mr. *R. Grant* begged the House to recollect that, as the law now stood, an executor was presumed to be intended by the testator to take all the residue which was not disposed of by the specific terms of the will. This was the rule of common law; but equity, to soften the hardship of the rule, permitted the next of kin to petition in cases where there was what was called an irresistible presumption that the testator did not intend to give the executor the residue. If, however, the presumption was only violent, and not irresistible, the court of equity would not interfere. The learned gentleman, after

pointing out the extent of litigation, which arose from this distinction, and the difficulties under which it placed a court of equity, in deciding between these two kinds of presumption, concluded by supporting the motion.

Mr. *S. Rice* in reply, said, that where doubt existed, it was the duty of the legislature to remove it. The principle of his bill would be, where that doubt existed, to give the benefit of it in favour of consanguinity.

Leave was given to bring in the bill.

MUTINY BILL—CORPORAL PUNISHMENTS.] On bringing up the report,

Mr. *Hume* said, he did not intend now to enter into the reasons of a recommendation which he had often before pressed upon the attention of the House, for the discontinuance of corporal punishments in the Army: but he wished to state, that, from accounts which he had received since last session, he was more than ever convinced of the propriety of the course which he had urged; and he was desirous to ask the Secretary of War, whether he would consent to a limitation of the powers given to commanding officers in this respect? He had heard, since last sessions, of men being sentenced to receive a thousand lashes. He did not know whether these severe punishments had been actually inflicted; but he was convinced that, in no case, was such a cruel remedy necessary. He understood that, in some regiments, scarcely a man was punished, while, in others, very many suffered this degradation; in short, that the punishment depended upon the disposition of the commanding officer. He thought the House ought not to countenance this remains of a barbarous and degrading practice, and which was so liable to abuse in the hands of arbitrary persons. Even admitting that such punishment might be necessary abroad, he was sure it could be very properly dispensed with at home; but his opinion was, that it was not necessary at all. He would propose, as an amendment, to give to general courts-martial a power of inflicting punishment not exceeding five hundred lashes; to district courts-martial not more than three hundred; and to detachment courts-martial, which consisted of not more than three officers, a power of inflicting not more than one hundred or two hundred lashes. It seemed to him quite monstrous, that those courts-martial,

which were composed of but three officers, should have as extensive powers as general courts-martial, which consisted of thirteen. Corporal punishment was not practised in other armies of Europe; and he was sure it was not necessary in our own.

Sir *H. Hardinge* said, that the hon. gentleman appeared to have mistaken the objects and nature of the different courts-martial, when he complained that they all possessed the same and very large powers. This was not so. The hon. gentleman would find, that the authority of detachment and district courts-martial applied only to foreign service, and that such a tribunal was sometimes necessary, in cases of sudden emergency, to repress any turbulence on the part of the soldiers, and to protect the inhabitants of those places where they were stationed. It was true, that the officers acting in such a capacity, could sentence men to corporal punishment without limitation; but it should be observed, that their sentence must be confirmed by the commander-in-chief, before the punishment could be inflicted.—It would be seen, that under the present circumstances of peace, no such courts-martial were necessary to be called into operation, although it was necessary that the enactment of them should be retained in the bill. The hon. gentleman also objected, that a district court-martial, which was composed of nine officers, possessed the same power as a general court-martial, consisting of thirteen. This was not the case. The district court-martial had but limited authority, and was not empowered to sentence to transportation. Their sentence also must be confirmed—not by the commanding officer of the regiment, but by the general officer of the district. As to the regimental court-martial, it could only try offences of a minor description, and was not authorised to adjudge more than three hundred lashes. Here, therefore, the hon. gentleman would see that his object was already accomplished. With regard to the distinction of inflicting punishment abroad, and not at home, he conceived that this would be a most unmilitary regulation, and calculated to produce a very injurious influence upon the minds of the soldiery, by holding out to them a threat of punishment and degradation, when they embarked to fight the battles of their country, to which they were not liable at home. It was a mistake to suppose, that corporal

punishment was not inflicted in any other than the British army; it was still practised in the armies of Saxony and Prussia; and, with regard to our own army, there was a clause in the bill, which enabled officers to substitute other punishments for corporal punishments; indeed, the latter infliction had been diminished to an extent of which he believed the hon. member was not aware. There were instances of regiments seven hundred strong, in which not above five or six men had been flogged within the last twenty years. It must be admitted that there were cases which might require the infliction of corporal punishments, and for those cases it was necessary to provide; but it was the anxious desire of the persons to whom the management of the army was confided, to keep down these punishments. They had decreased, and had been almost got rid of. Still the existence of the power of inflicting corporal punishment was necessary, in order to carry on the discipline of the army.

Mr. *Hume* said, the right hon. gentleman had stated nothing with respect to the larger punishment of one thousand lashes. He wished, for the sake of humanity, that it should be limited to five hundred. With regard to the distinction between punishments at home and abroad, it had been argued, on former occasions, by the advocates of corporal punishment, that it was necessary, particularly abroad, to supply the place of prisons and civil punishments, which could be inflicted at home. It would be satisfactory to him, if the right hon. gentleman would lay on the table a return of all the corporal punishments inflicted within the year.

Sir *H. Hardinge* stated, that a medical officer was always present, on such occasions, who was able to proportion the degree of punishment, and to see that it was not carried to any dangerous extent. In answer to the hon. member, he could only say, that he did not know of any instance in which one thousand lashes had been inflicted, although such sentences might have been held in *terrorem* over the heads of offenders. He contended, that corporal punishments were greatly diminished in the army, within the last few years. As to the returns called for by the hon. member, he could never consent to their being granted; for he deprecated the principle of showing up—if he might so express it—the commander of any regiment in

which corporal punishment was frequently inflicted.

The amendment was negatived.

HOUSE OF COMMONS.

Thursday, March 12.

ROMAN CATHOLIC CLAIMS—PETITIONS FOR AND AGAINST.] Mr. *Mundy* presented a petition from Derby against further Concessions to the Catholics. The hon. member said the petition was signed by eight thousand eight hundred and seventy-six persons, among whom were a great number of the clergy, several magistrates, many Wesleyan and Baptist ministers, and the principal yeomanry in the neighbourhood. The Catholics had always manifested anxiety for political power. The petitioners, therefore, trusted that the laws which excluded them from the legislature, and the councils of the king, would be held inviolate.

Lord *G. Cavendish* said, that the petition had been got up by the True Blue Club, and contended that the public mind, having been inflamed by placards and other publications, the petition could not be said to represent the sober sentiments of the people.

Mr. *Munday* said, he had uniformly opposed the Catholic claims from conscientious motives, and had not taken any part in getting up petitions. For that which he had presented, he could, however, say, on the best authority, that in originating and forwarding it all care had been taken to prevent the possibility of its character being impeached. A most respectable committee had been appointed to conduct it, and to watch over the signatures, who interrogated every person who desired to affix his name to it, whether he knew what he was about to sign? One boy of thirteen had by accident signed it, but when the circumstance became known the signature was withdrawn.

Mr. *Abercromby* begged to call the attention of the House to one of the placards which had been circulated in the place whence the petition proceeded. It stated, that the Catholics in the Spanish Armada brought with them thumb-screws, bilboes, and other instruments, for the purpose of torturing Protestants, and concluded by saying—"If you do not wish to see the thumb-screws, &c., introduced into England, sign the loyal Protestant peti-

tion." Members on his side of the House had been accused of a desire to depreciate the petitions of the people; but he held, that petitions which were signed under such inducements as those contained in the placard were already depreciated in value before they came to that House. Such appeals were addressed, not to the reason, but to the worst passions of the people. Placards similar to that which he had read were distributed all over the country. He considered this to be the last expiring effort of the monopolists and exclusionists. He would wish that some of those gentlemen who were in the habit of forming collections, would gather together the placards now in circulation, in order that the historian might be able to describe the real nature of the arguments employed by the monopolists and exclusionists, to induce the people of England to support their cause.

Mr. *Arkwright* expressed his belief, founded upon a knowledge of the great respectability of the parties with whom the petition had originated, that they could not have resorted to any improper means to procure signatures.

Mr. *H. Grattan* said, he had in his possession some placards containing the most base and stupid assertions. The person from whom he procured them stated that he had received them from the "Constitutional Tract Society," for the purpose of distribution. In this man's shop he saw a parcel of placards addressed to the constituents of the hon. member for Dover. There was one placard very widely circulated, which was addressed to all Protestants and Dissenters. In this were several extracts from the notes to the Rhemish translation of the New Testament; which it was stated had been some years ago republished under the sanction of Dr. Troy, the Roman Catholic Archbishop of Dublin. Some of the notes published in this placard were to this effect—That the Protestant church was guilty of schism and heresy, and was on that account damnable; and that the Protestant religion did not lead to heaven. Now, would the House believe that this very translation of the Rhemish Testament, first published in 1562, was decidedly condemned by Dr. Troy, on account of the notes of the translators? In a letter which that right rev. divine published on the subject of this translation, he observed—"I think it necessary to reject these notes, as harsh, false, and

uncharitable." Was it not shameful, then, that such gross misrepresentations should be made of the opinions of a most respectable Catholic divine, and of the whole Catholic body? This very Catholic prelate had, on another occasion, published a pastoral letter enjoining peace and obedience to the laws, for which he had received the thanks of the lord-lieutenant. Upon what ground could such a petition as the present be received as that of the loyal inhabitants of any place—as if those who signed it were the only loyal inhabitants? The notion was absurd and ridiculous.

Mr. *Sykes* said, that if hon. gentlemen were not acquainted with the inflammatory language held by many persons opposed to the present measure, he could state what had occurred in Leicester. A person had there said, that if the duke of Wellington endeavoured to pass the measures, he hoped he might be assassinated, and if the king put his hand to the bill he hoped it might be paralysed for ever.

Mr. *Trant* said, that if pamphlets or placards had been sent to Dover, such as those alluded to, it was without his knowledge; but, although he made that statement, he saw no harm in giving the people information of the proper nature of the question at issue. The Catholics and their friends had been most industrious in sending through the country publications calculated to promote the success of their own cause. The Protestants had a right to make similar efforts to defeat their views. With respect to the publication referred to by the hon. member, he should say that, whatever the disavowal of Dr. Troy, or any other Catholic priest, might be, there was no doubt of the fact of the publication of the Rhemish Testament; and, having cast his eye over it, he could assert that the extract from it contained in the placard read by the hon. member for Dublin was a fair specimen of the opinion of the Catholics with respect to our Protestant church. When he observed that the most artful attempts were made to deceive the people of England, with respect to the Catholic claims, he would himself bear a part of the burthen of abusing the public mind. He, for one, would not be put down by the menaces of the hon. member for Dublin, or of any other person, or deterred from the performance of his duty in defending the rights of the Protestant people. He was sorry to observe attempts made in that

House to put down the rights and privileges of the people ["No, no"]. He would repeat his words; for he had not seen a single petition presented to that House against the Catholic claims, without attempts being made, by the friends of the Catholics, to impugn the motives of the petitioners. But neither he nor those who thought with him were to be deterred from the performance of their duty, notwithstanding the majority against them. They were not beaten; and, please God, they would fight to the last.

Sir *John Brydges* said, he would fearlessly do his duty, whatever might be the majority against him. If the measure contemplated by ministers should be carried, he was satisfied the constitution would be totally subverted. With respect to placards, he should state his own firm belief that all those of a violent and inflammatory nature were put forward by the hon. member for Dublin's own party.

Mr. *Wallace* expressed his surprise, that an hon. member should state, in the face of the House, that there was any attempt to undervalue the right of petitioning. At no former time had so many petitions been poured in, or such attention paid to them, by the House. The charge as to the placards had not been met. All that was said in answer was, that the signatures to the petitions were respectable. No doubt many of them were those of respectable and intelligent men; but were the tens and twenty thousands who signed all as respectable and as competent to decide upon this important question as the immense majority of that House, who had already so unequivocally expressed their opinions by their votes? The question was not, whether the petitioners were respectable, but whether the great mass of the petitioners—whom some members called the people of England—were not influenced by undue means, in order to get a show of strength,—intended to intimidate that House and his majesty's government? He called on any opponent of the measures to put his hand on his heart, and declare whether he considered the majority of the petitioners as competent judges of that important subject as the majority of that House? He respected the right of petition, and he hoped it would be the last of our privileges which should be restricted; but in what way was it applied? To complaints of wrongs, to redress of grievances, or corrections of

mal-administration; but not to abstract questions, much less to questions requiring close investigation, on which the sense of the people was to be collected in that House alone, and not sought for in petitions from alms-houses and charitys schools. If this practice of general petitioning on all occasions should prevail, it would tend to introduce a sort of universal suffrage on every public question.

Mr. *Legh Keck* said, he would admit that the House had passed many a weary hour in receiving petitions, but he certainly regretted that those documents had not been treated in a more constitutional manner. He could assure the House that their proceedings on this momentous question were watched by the public with the greatest anxiety. In a Letter to him one of his constituents had complained that the petitions opposed to the Catholic claims were received in that House with obloquy.

Mr. *R. Colborne* said, he had never known more attention paid to petitions. At the same time he thought there should be no allusions to the manner in which they were got up and signed; for it was well known that on both sides, upon measures exciting great interest, means were resorted to not strictly justifiable.

Captain *Mundy* expressed his thanks to the hon. member for the spirit of forbearance that he had recommended. He had ever opposed Catholic emancipation, and should continue to do so. As to the change of opinion that had lately taken place in the minds of some gentlemen, he could not but express his decided disapprobation of it. They appeared to have turned round at the beck of a finger held up by a single individual. That was a weathercock system which he could never approve of.

Mr. *Coke* presented a petition from an enlightened body of clergymen, residing in the county of Norfolk, in favour of Catholic emancipation. The petition was signed by two archdeacons and seventy clergymen. It had been very differently got up from a petition which had been presented as the petition of the clergy of Norfolk. He had been requested to state, first, that the archdeacon never heard a syllable about that petition, until after its presentation to the House; and secondly, that only one hundred and ten out of the three hundred and fifty clergymen of the diocese had signed it. So enlightened

was the public mind in Norfolk, that he had no doubt, if a dissolution of parliament were to take place to-morrow, there would be one general feeling throughout the county, in favour of returning two supporters of the Catholic claims. A short time before the last election, his hon. colleague, with whom he was not in the habit of agreeing on many points, came forward in support of Catholic emancipation. Some of the former supporters of his hon. colleague were so much displeased with the vote which he then gave, that they threatened to turn him out of his seat. The consequence of that threat was, that he assured his hon. colleague, if any attempt were made to throw him out upon that score, he (Mr. Coke) would give him every support in his power; and he had no doubt that if any opposition had been raised to the return of both of them, on account of their votes on the Catholic question, the county would have enabled them to triumph over it. At the county meeting, he had told the freeholders what his opinions were on that question. He had told them, that he had voted for it for five and twenty years, and intended to vote for it whenever it was brought forward again; and with that declaration in his mouth, he offered himself to his constituents. He had likewise said, that if his hon. colleague were opposed by his own party for the change which had taken place in his opinions, he and his friends would take him by the hand, and support him against any third man whom his party might set up. No one, however, was set up against them. Could there be any doubt, after that, as to the opinion entertained on this question by the county of Norfolk? He declared before God, that he believed the county of Norfolk to be nearly unanimous on this question. Certain he was, in spite of the petitions which had been recently got up in that county, that all the intelligent inhabitants of it were decidedly in favour of abolishing all civil distinctions, among all classes of his majesty's subjects.

Mr. *E. Wodehouse* concurred most cordially in the prayer of the petition, but could not flatter himself that the feeling in favour of Catholic emancipation was so unanimous as his hon. colleague supposed.

Sir *R. Heron* congratulated the county of Norfolk on possessing a clergy so liberal as to desire to impart to those who differed

from them in religious opinions the full benefit of the constitution.

Mr. *Jephson*, in presenting a petition from Mallow in favour of the Catholic claims, said, that knowing how irksome it was to hear these by-discussions on the principle of a measure which had been, and would be, so fully discussed in a few days, he would not say any thing on the general question of Catholic emancipation; but he would, with the leave of the House, express his regret, that the bill for the relief of the Catholics had been so worded as to leave undecided a question of very great importance, and which must now be brought hereafter before the House; he meant the return of Mr. O'Connell. Had that gentleman been admitted under the new bill, it would have been a most popular measure in Ireland. This was a solitary case, which it was not worth while to have omitted. He also begged to call the right hon. gentleman's attention to that part of the bill which referred to the Universities. He found that Oxford was still to retain those regulations which prevented a Catholic from residence, even for general education. Cambridge, on the contrary, had broken through those restrictions; there, he believed, a Catholic could remain, at least for a time. He thought this course was against all true policy. Their object ought to be to unite the youth of both countries in one common education. The Irish were accused of bigotry. How could it be otherwise, while they had been thus excluded from society, both in Ireland and this country. Bounties were out of fashion; but instead of preventing an Irish gentleman from sending his son to Oxford, he would rather say, give a bounty to him to do so.

Admiral *Harvey* said, he had seven petitions to present from Essex against any further concession to the Roman Catholics. He had just returned from the assizes, and had had an opportunity of learning the opinion entertained on the subject under discussion, by the most respectable inhabitants of the county of Essex. He could assure the House that, with few exceptions, the inhabitants of the county were decidedly opposed to the bill now in progress, and conceived the proposed concessions extremely dangerous to the Established Church. The gentlemen of the county were equally decided in their opinion, as to the conduct of the right hon. Secretary, who had departed from that

line of proceeding on this subject, which was so congenial to the feelings of the country, and which he had so consistently supported for many years. The county felt at a loss to conceive, upon what principles of accommodation or convenience, the right hon. gentleman could consent to belong to a government, which had advised his majesty to assent to the admission of Catholics to the legislature.

Mr. *Lennard* denied, that the feeling of the county of Essex was strongly opposed to Catholic emancipation. He regretted that the assertion had been made in the absence of the other member for Essex; who would have been able satisfactorily to refute it. No exertion had been spared to get up anti-Catholic petitions. Circulars had been sent into every parish, calling on the churchwardens, as they loved their king and country, to petition parliament and the king against the measure now before the House. He was not surprised, therefore, at the number of petitions which had been presented.

JUVENILE OFFENDERS ACCUSED OF LARCENY.] Mr. *E. Davenport*, in moving for leave to bring in a bill to extend the power of summary conviction in certain cases of Juvenile Offenders accused of Petty Larceny, observed, that when Gaols and houses of Correction were first established, it was under very different circumstances from those which now existed. Persons were sent there not only for purposes of punishment, but of correction and amendment. Now, it was notorious, that from the crowded state of our prisons, and the indiscriminate mingling together of offenders of different ages and various degrees of criminality, results directly the reverse of those originally contemplated took place. The ill effects of the present system were peculiarly apparent in cases of juvenile offenders. Every gaoler whom he had consulted was decidedly of opinion, that when boys were sent to prison they were initiated in every sort of vice so rapidly, as generally to render their condition irretrievable. This was the natural consequence of their being allowed to mix with hardened offenders. His object in moving for leave to bring in the proposed bill was to prevent this evil. He wished to dispense with the intervention of juries, in the trial of youthful offenders, wherever it could be done. But, in cases where a jury was necessary, he would prefer taking

bail for the appearance of the accused party, to committing him to a house of Correction. Another feature of his measure consisted in the substitution of trials at petit sessions, under certain restrictions, in lieu of trials at quarter sessions. He recommended that two or more magistrates should be empowered to take cognizance of the cases of persons under a certain age, say sixteen, who were charged with petty larcenies. The magistrates should have a limited power to punish and dispose of such offenders on conviction. Many gentlemen had great confidence in the efficacy of the lash, and brutal natures might require brutal treatment; but how far such a punishment was applicable to juvenile convicts, more particularly in cases of a first offence, he did not know. The right hon. Secretary in some of his salutary acts for the improvement of the criminal law, had recognized the principle now contended for: in cases of assault, trespass, and other minor offences, the right hon. Secretary had substituted summary convictions for more regular trials. He recommended that the principle should be extended to the cases of persons of tender age accused of petty larceny. In doing so, he had not the slightest wish to increase the power at present possessed by the magistracy, except for mild and useful purposes. His wish was, to substitute short, cheap, and effectual, punishment for tedious, expensive, and inefficient penalties. If they compared the present state of the criminal lists, in the part of the country to which he belonged, with their state twenty or thirty years ago, and considered the relative condition of the people now and then, they would be at no loss to attribute the increase of crime to the concomitant increase of poverty. It appeared to him, that it was not only just, but wise in a legislature to proportion the punishment as well to the degree of temptation as to the extent of criminality. Nothing could be fairer than to graduate the scale of punishment according to the tender years of the offenders. The hon. member concluded by moving for leave to bring in the bill.

Mr. Secretary *Peel* said, he would not oppose the motion; at the same time, he considered the measure to be one surrounded with great difficulties, to get rid of which required serious deliberation. It was impossible to deny that great evil re-

sulted from the committal of young persons to prison to abide their trial. At the same time, he thought the power of summary conviction, in cases alluded to by the hon. member, who had rather laxly specified the age of the parties and the nature of the offences to be dealt with, required great caution in the arrangement of the details, even if the propriety of the principle and its applicability in this instance were admitted. He himself had had under his consideration for some time, and intended to bring forward, if matters of greater importance had not interposed to prevent him, a measure for the regulation, qualification, and jurisdiction, of magistrates; and also with respect to the management and holding of petty sessions. He certainly thought the hon. member's proposition would come forward under more favourable circumstances, if the measure which he had had in contemplation, relative to the jurisdiction of county magistrates, had been first carried into effect. He acquiesced in the introduction of the present bill, without pledging himself to any opinion in its favour. It should receive his best consideration; but he feared there were more difficulties in the way of the adoption of the plan than the hon. member appeared to be aware of.

Mr. Lockhart said, he wished to encourage the continuance of the use of juries, and, in the cases contemplated by the proposed bill, he would have a jury ready in attendance, so that any person accused might have the benefit of that mode of trial, should they desire it.

Sir T. Baring agreed to the principle of the bill, but would wait for its being printed before he pronounced an opinion on the details.

Mr. Secretary Peel, as an additional objection to the measure, alluded to the possibility of persons of tender age being stimulated to commit offences by individuals of greater experience, if it were determined that youthful criminals should, in all cases, be more favourably dealt with than others. He therefore objected to the principle of fixing a certain age to which, without reference to other circumstances, the bill should apply. He would take occasion to mention, with reference to the police of the metropolis, that his attention had been given to the subject during the entire of the last summer, and that he had prepared a bill, founded on the report of the committee, which circumstances al-

ready alluded to had prevented him from submitting to the attention of the House.

Sir T. Fremantle observed, that there was already a severe provision with respect to offenders in the second instance, and it would be unwise to render guilty persons in adult age subject to the penalties incident by law to a second offence, because they had been found guilty in early life.

Leave was given to bring in the bill.

ANATOMY—SUBJECTS FOR DISSECTION.] Mr. Warburton entreated the House to bear with him while he called its attention to a subject which, from recent occurrences, he considered of the utmost importance. He meant the supply of Subjects for Anatomical Dissection. He hoped the report of the committee appointed last year had satisfied the members of that House that the evils complained of, arising from the present state of the law upon the subject, were not wholly imaginary. The first point which the committee had thought it necessary to establish by evidence was, that there was an actual necessity, if the science of anatomy was to be pursued, that a moderate number of subjects for dissection should be supplied. It had been urged by correspondents in some of the public papers, that the practice of dissecting for anatomical purposes was quite unnecessary, and ought to be abandoned. He confessed that he very much doubted the sincerity of the individuals who put forth such statements to the world; for he would ask them, if they were attacked by severe illness, whether they would not immediately seek the advice of those very physicians who had obtained their skill, and consequent eminence, from that identical practice which they professed to consider unnecessary. The committee reported, as the result of their inquiries, that, as the law now stood, the science of anatomy must rapidly sink into decay; as the difficulty of obtaining subjects was so great, that the students were themselves obliged to have recourse to the practice of exhumation, in order to attain such a knowledge of anatomy as was necessary to render them capable of practising on the human frame. Independently of this, if some alteration were not made in the law, the trade in human bodies, which it appeared led to the commission of so many other crimes, could never be effectually put an end to. In the bill which he had the honour of submitting to the House, he did not intend to impose

any penalties or prohibitions: his wish was, that legality should be given, in certain cases, to practical anatomy. He proposed, therefore, that anatomy should be considered lawful, if practised either in those cities or towns which have universities or corporations having the power of conferring medical preferment or degrees, or in those cities or towns which have hospitals established for the reception of not less than fifty patients at a time. This would extend the practice of dissection to many of those larger towns, where every means was afforded for studying with advantage. In those places proper persons should be allowed to practise and to teach, and by that means many important advantages he thought might be gained.—The greatest difficulty which arose in the consideration of the matter, was the source from whence the supply of subjects which would be required by the teachers of anatomy should be derived. The committee had made many inquiries as to the practice in foreign countries, and the measures which he now proposed to introduce would, in its nature, be nearly allied to the practice which had, for some time, existed at Paris. If no supply was to be derived by legal or authorized means—and he was convinced that every one would say that no necessity could warrant a violation of the sanctity of the tomb—recourse must be had to the public institutions; and if they would not afford a supply, the practice of dissection must be put an end to altogether, or remain in the same state that it did now. What he would recommend, therefore, was this: that it should be lawful for the overseers and managers of the poor-houses or work-houses, for the governors of prisons and of hospitals, to give up to any physician who may be a teacher of anatomy, for the purposes of dissection, the bodies of those persons who might not be claimed within a specified time by any friend or relative. He was fully aware, in recommending such a measure, of all the objections which might, and probably would, be made against it. It might be said, that such a course would give rise to many unpleasant circumstances, and that much unfairness might be practised in the disposition of bodies, which, if proper notice were given, might probably be claimed. But he would ask those who objected to the measure, from what other sources than the public institutions could subjects be obtained? He begged those who were most interested

in the subject, namely, the poor and middle classes, to remember how deeply they were indebted to the faculty for the uniform attention and kindness they received from the members of it, and not to allow themselves, upon the ground of any erroneous feeling, to raise objections to a measure which, in the end, must prove beneficial to them. Let them consider what had so lately occurred in the city of Edinburgh, and let them attribute it to what he attributed it—the intense degree in which the inhabitants had allowed themselves to be run away with by their feelings. The idea that the rites of the tomb were denied to any of our fellow-creatures was naturally repulsive to their feelings; and he therefore proposed, in the bill which he now laid before the House, that, after the purposes of dissection had been completed, the remains should be interred, according to the custom of the country in which the person had expired. He felt assured, from calculations which he had made, and which some men eminent in their profession had sanctioned, that the supply thus created would be more than adequate to the exigencies of the profession; and he was happy in contemplating, that if his project was adopted, it would be the means of exonerating hereafter a beneficent and humane profession from the possibility of being implicated in the charge of being confederates with either resurrection-men, or a class of villains whose atrocities had so very recently been brought to light. The hon. member concluded by moving, for leave to bring in a bill “to legalize and regulate the supply of Subjects for Anatomy.”

Mr. *Leycester*, in rising to second the motion, observed, that the practice of exhumation, which had been resorted to, in order to keep up the supply of subjects for anatomical purposes, was alike insulting to the dead and offensive to the living, and the means of raising up a crew of the worst and most abandoned characters. But, bad as that practice was, it could not be prevented, unless a substitute were found, and that substitute could alone be found in the public institutions. It could not be denied that the study of anatomy was absolutely necessary to the public good. It was the lamp of science which illumined the path to skill; it showed the when, the where, and the how; it gave firmness of nerve and dexterity in operation; it shortened the suffering under the

knife; it triumphed over disease, and robbed death of its prey. Exhumation, therefore, in his opinion, could not be prevented, unless a substitute were found. That substitute had happily been discovered, and was set forth in the bill proposed by his hon. friend. It was the mode adopted in foreign countries where exhumation was unheard of—it was a mode which could not be offensive to the living, since the subjects operated upon would be those who had no friends to claim their remains; and it was a mode which could not be insulting to the dead, since all that remained after dissection would meet with a decent and Christian burial. It would, indeed, be a melancholy satisfaction to those whose last moments received consolation from the public charities, to know that they would be able after death, in some measure, to repay the debt they owed to those who administered comfort to them during the last stage of their existence. He hoped, therefore, that the House would accede to the proposition, as a measure which would ultimately lead to good.

Mr. *Hyde Villiers* was satisfied, that the plan of his hon. friend had originated in the most humane feelings. The great object which would be obtained in the first instance, was the repression of crime, by depriving it of a ready market for the produce of its abhorred industry. It would tend also to rescue humanity from the disgrace entailed on it by the practice of what at present appeared indispensable, and redeem an honourable profession from the obloquy in which it had so unjustly participated. This had been well styled a measure of charity; for it was the poor who would reap the great benefit of it.

The *Lord-Advocate* said, he was friendly to the proposition of the hon. member, for it was admitted on all hands, that dissection was necessary to the perfection of medical science, and it was evident that without subjects there could be no dissection. By the law, as it at present stood, anatomy could not be prosecuted without its professors being compelled to have intercourse with the most depraved characters, and oftentimes not without being liable to the suspicion of being accessories to the most atrocious acts. The expediency of a measure like that of the hon. member was evident, then, not only as an act of justice to the members of an honourable profession, but also as the safety of

life was materially involved in it. He had been engaged for some months past, in an anxious and minute inquiry into the mode of supply of subjects, to which the anatomical schools with which he was best acquainted were compelled to have recourse. The result of his inquiry was, his conviction, that the present high price of subjects—a price consequent, in a great degree, upon the existing law—was the origin of all the evils that had arisen from the practice of procuring dead bodies for dissection. He was also convinced, that unless some means were devised for checking those evils, they would not only continue to exist, but would extend more and more. He trusted, that the atrocities that had lately taken place in his native country, would have the effect of hastening some attempt to remedy the existing evil; for, until some such attempt was made, no man could say that there would be no renewal of those atrocities. The inquiry in which he had been lately engaged, showed how easy it was to elude the heavy penalty of the law for murders, with a view to obtain the present high price of subjects for dissection; for it was impossible, as it appeared on that inquiry, to discover by the appearance of such subjects that they had been murdered, rendering it impossible, therefore, to obtain from professional investigation the evidence of the crime which the law demanded, as necessary to the detection and conviction of the murderer. The bodies of those who had been murdered, on the occasion which led to the inquiry in which he had been engaged, afforded no indication of murder, and therefore no means of detecting the murderer. Neither did the character of those who usually supplied subjects afford any security against a renewal of the late atrocities; for it appeared, in the evidence furnished by the report of the committee of that House, that the majority of those who trafficked in dead bodies were capable of any crime; that upon their atrocities there was no check but the fear of the law. Sir Astley Cooper, among other competent witnesses, had said, that, but for the fear of detection, he was convinced his own body would not be safe from the hands of those who usually supplied the medical schools of the metropolis with subjects. Under these facts, he must think, that some measure for securing the necessary supply of dead bodies for the purposes of medical science should be brought forward

with the least possible delay; and he was disposed to support the intended measure of the hon. member for Bridport. He considered it to be freer from objections, than any proposition he had heard of. Its tendency was entirely permissive; for by it the governors and managers of hospitals would not be compelled to dispose of the unclaimed bodies of the poor, but only permitted to do so, under certain wise regulations. No measure appeared to him so unobjectionable, as giving permission to the managers of hospitals to devote the bodies of such persons as had no relations to claim them, to the purposes of anatomy; for in that case no feelings could be outraged. It was objected by some, that the fear of being dissected, in the event of death, might prevent the poor from availing themselves of the advantages of an hospital; but the report of last year showed that that objection had no force. The poor went into the hospitals with the hope of being cured, and were regardless of the fate of their bodies after death.

Mr. *Lockhart* hoped, that care would be taken to ensure a due regard to public feeling, in the mode of transmitting bodies for dissection. He also thought it would be advisable to have the constitutional security against unfair death of a coroner's warrant, for every body handed over to the professors of anatomy.

Mr. Secretary *Peel* said, he considered that nothing would be more useless than for him to waste the time of the House in discussing the importance of anatomy. The necessity of anatomy to medical science had been admitted on all hands; and if its existence were necessary, it would follow that a supply of subjects was also necessary. The question, then, for the House to consider was, the mode of obtaining that supply. By the present law, the teachers of anatomy were compelled to resort to illegal means of procuring dead bodies, and to associate with those who committed the most egregious violations of decency, and were too often capable of any atrocity. That such was the fact, the answers to the questions contained in the report of the Committee on Anatomy must carry conviction to the mind of every hon. member. One of the witnesses who was much engaged in the supply of subjects for the London schools, stated, that he had, in one year, himself supplied three hundred and five adults, forty-four children, and forty-three infants; in another year three

hundred and twelve subjects; in the next year two hundred and thirty-four; and in the following summer, two hundred and forty-four subjects. He stated also that he was paid at the rate of four guineas each for the adults, and that he sold the children at so much per inch. This in itself showed the great demand that existed for dead bodies, and the great temptation that was held out for furnishing the necessary supply. But, if proof were necessary on this point, and that something ought to be done by the legislature, the atrocities that had come to light within the last six months, afforded more than sufficient. It was absolutely necessary that something should be done to check the evil, were it only out of regard to those feelings which they all held in the highest respect; and no proposition with that view appeared to him so unobjectionable in principle, and so likely to be beneficial in practice, as that just submitted to the House by the hon. member for Bridport. He thought however, that the bill should contain a clause, by which it would be obligatory on parties demanding subjects, not only to give their names, but to prevent professional jealousy, that they should be licensed teachers of anatomy. Such a clause, he thought, would add to the beneficial effects of the hon. member's measure. It could not be objected to the measure, that it would render the bodies of the poor more liable to dissection than those of the rich; for, in consequence of the present practice, the bodies of the poor were more readily acquired. It could not, therefore, be charged as an objection to the bill, that it would render the poor who died more liable to be dissected than the rich. Besides, the poor themselves would be the parties most benefited by the measure; for the rich possessed the means of obtaining professional efficiency far beyond those within the reach of the poorer classes; upon whom, therefore, all improvements in medical science must have a more direct effect. He would give his support to the bill; which, he trusted, would contain provisions which, while they promoted medical science, would effectually prevent a renewal of those atrocities by which public feeling had been lately outraged.

Mr. *Warburton* said, he should be most happy to avail himself of every suggestion likely to secure the object they all had in view. He therefore should adopt the recommendation of the right hon. Secretary

as to the security of having the names of, and a notice from, the medical gentlemen to whom dead bodies would be made over. He could not, however, see the expediency of requiring a coroner's warrant with each body; unless, indeed, it was intended to include within the operation of the bill the bodies of those who had come to an untimely death, or had committed suicide.

Leave was given to bring in the bill.

GROWTH OF TOBACCO IN IRELAND.]

Mr. *G. Dawson* moved for going into a committee on the laws regulating the Growth of Tobacco in Ireland. His object, he said, was to bring in a bill to assimilate the laws in England and Ireland, with respect to the manufacture of Tobacco of domestic growth. By the present law all Tobacco of Irish growth was prohibited from being employed in the manufacture of snuff, &c., though no less than seven hundred hogsheads had been, during the last year, smuggled into this country, to the great injury of the revenue.

Mr. *Whitmore* thought the subject of a reduction of prohibitive duties on the domestic growth of tobacco well worthy of the attention of the House and the government; the rather, as the home cultivation of that commodity was every day extending and no valid objections to encouraging it could be found on the comparative inferiority of an article, the growth of which was yet in its infancy.

Mr. *C. Grant* said, he would not object to the House going into the committee; but he should take another opportunity of calling its attention to the expediency of considering all the prohibitive duties on domestic tobacco, with a view to their reduction. He would merely observe, that the original cause of those prohibitive duties no longer existed; for they were enacted, in order to encourage the cultivation of tobacco in Virginia and Maryland, then, but no longer, British colonies. He thought mature deliberation necessary, before the House agreed to prohibit the growth of Irish tobacco, by means of the present enormous duties on that article. He was aware that those duties were defended on the ground of the great revenue they afforded; but he submitted it to the House, whether the enormous rate of those duties—not less than from one thousand to one thousand two hundred per cent—did not tend to encourage smuggling.

Mr. *Jephson* conceived, that the opera-

tion of the proposed bill would be injurious to Ireland; where the cultivation of tobacco would be highly advantageous to the agricultural interests.

Mr. *Dickinson* said, he had been instructed by some members of the agricultural society to state, that the cultivation of tobacco might be carried on with great advantage to the agriculturist in parts of the west of England, where the soil and the climate were well adapted for its growth.

Mr. *Dawson* said, he would give every consideration to the suggestions which had been made on this subject, without pledging himself unequivocally to adopt them. The object of the present bill was simply to assimilate the law between the two countries, to prevent smuggling, and to protect the revenue. To such a bill he conceived there could be no objection, and hereafter the whole subject respecting the cultivation of tobacco could be taken into consideration.

The House then went into a committee; and, on the motion of Mr. Dawson, it was resolved, that it is expedient to assimilate the laws in Great Britain and Ireland relating to the growth of tobacco. The House having resumed, the resolution was reported to the House and agreed to, and leave was given to bring in a bill founded upon it.

HOUSE OF LORDS.

Friday, March 13.

ROMAN CATHOLIC CLAIMS — PETITIONS FOR AND AGAINST.] The Duke of *Devonshire* said, he had two petitions to present to their lordships, praying for the removal of all Civil Disabilities on account of Religious Opinions. The first came from the mayor and burgesses of the borough of Derby, and was agreed to with only two dissentient voices. The other was signed by the magistrates, bankers, manufacturers, and other inhabitants of Derby. The noble duke said, he wished to abstain from making any observations on the manner in which signatures had been obtained for a petition against concession to the Catholics, which came from Derby, because, in his opinion, such discussions could be productive of no public good, and because he felt personally much respect for the private character of many persons who had signed that petition. The petition which he now

had the honour to present, he could confidently state, was signed by a large proportion of the most respectable and intelligent inhabitants of Derby. The sentiments which the petition expressed required no aid to give effect to them, because they were founded on justice and truth. He entirely agreed with the petitioners, and ardently hoped that their opinion would be adopted by their lordships, and that at last there would be a cessation of religious strife arising out of civil disabilities.

The Marquis of Lansdowne said, that having, on former occasions, given notice of the day on which he intended to present to their lordships the petition from the Roman Catholics of Ireland, he had requested a noble friend of his to give notice of his intention to present a similar one that night. He now rose for the purpose of calling their lordships' attention to the petition of the Roman Catholics of Ireland, certainly not for the first, but he hoped, from all he saw, it would be for the last time. He could not, when he considered the great names of the persons who had been honoured, on former occasions, with the trust with which he was now charged, both in their lordships' and in the other House of parliament—persons whose services, either by death or from loss of health, were now no longer part of the public property—when he considered those illustrious names, he could not but feel that it was greatly owing to the exertion of their talent, while at the same time he felt it to be part of his own good fortune, that he was in possession of that trust at present, under auspices far more favourable than at any former period when the same petition had been presented to parliament. He also considered it as part of his good fortune, that he had been able to state, in presenting these petitions, what was well known to their lordships, and which every account from Ireland would testify, that that great body of his majesty's subjects, who were represented by the twenty or thirty thousand names appended to the petition which he held in his hand, were in that state of perfect tranquillity and obedience to the laws which rendered them fit to receive the bounty and the liberality of parliament; and that even that Association, of which their lordships had heard so much on different occasions, the merits and demerits of which he did not now mean to

consider—that that Association, which he must say, though it was not to be considered the lawful progeny, had yet been the natural offspring of exclusive laws, in ready obedience to, and in anticipation of, the wishes of parliament, stood dissolved, and the whole of that body of people, represented by the signatures to the petition which he held in his hand, were now in that state, in which it was becoming for them to receive, and for parliament to give, that bounty which was about to be granted to the Roman Catholics. In calling the attention of their lordships to the petition of that people—he hoped, as he had stated before, for the last time—it might not be improper to observe, that from the time in which they had first appeared in the character of petitioners at their lordships' bar, being nearly thirty years ago, a very material change had taken place in their situation. In the first place, during those thirty years, and under the operation of exclusive laws, the number of the Roman Catholics in Ireland had been increased to the extent of more than two millions. But the increase of the Catholics had not been confined to number. He was not to be told that it was possible that a population might so increase in number, as to be entitled, in that respect, to more consideration from their lordships' House, and yet, that that increase was not of a nature to qualify the people to take a share in the administration of the affairs of the country. So far different was the case, with respect to the Roman Catholics of Ireland, that he could prove to their lordships, that, in proportion as their numbers had increased, so also had their education increased, so also had their wealth increased, and so also had the people increased in those qualities which entitled them to become, with advantage to themselves and to the rest of the community, partakers of the benefits of a free constitution. He had stated the increase of the numbers in that body. With respect to the increase of wealth, it was undoubtedly difficult to arrive at any very precise calculation, but he knew that many of their lordships would confirm what he stated, when he assured the House, that there was no solicitor in Ireland, conversant with the state of landed property in that country, who would not tell their lordships, that in every county of Ireland, but more especially in the southern counties of that country, a

very large proportion of the smaller landed property, when it came to be sold, had fallen to the share of Catholics. With respect to monied property, it might be well for their lordships to be informed, as a test of the extent to which the Catholics had increased in that respect, that about thirty years ago, there were not more than ten Catholics who held stock to the amount of 2,000*l.*, while at present, there were upwards of eighty who held to that amount. Taking that as a general test of the increase of the Catholics of Ireland in monied property, it would appear that that increase was eight-fold within the period of thirty years. With respect to education, a most remarkable increase had taken place in the course of the last twenty or thirty years. In 1811, there were in the course of education at schools, children, for whose education their parents paid, to the number of fifty-five thousand Protestants, and one hundred and forty-five thousand Catholics; and in 1824, eighty-one thousand and sixty Protestants and three hundred and nineteen thousand two hundred and eighty-eight Catholics. So that the proportion of the Catholic children to the Protestant who were educating in 1811, was as two and a half to one, and in 1824, as four to one. It appeared by the report of the commissioners, that in 1824, the total number of children educated at schools of this description (taking into the account not only those children whose parents paid for their education, but also those who were educated gratuitously) was one hundred and forty-two thousand one hundred and sixty-eight Protestants, and four hundred and twenty-one thousand and twenty-three Roman Catholics. These accounts were taken from the report of the commissioners appointed to inquire into the state of education in Ireland, and they went to make out the position, which he ventured to lay before their lordships; namely, that in proportion, and more than in proportion, as the number of the Roman Catholics had increased, their education had increased also. But he was unwilling to stop at that point, in describing what was the condition of that body of people in Ireland. He had the great satisfaction to state, that that population was not only in a state, at the present moment, of tranquillity, obedience and attachment to the laws, but that it was, in point of morality, such as to justify a comparison with the population

of any state of Europe. It might, perhaps, surprise their lordships to be informed, that, as compared with the population of England, there was a less proportion of crime in Ireland, to a degree which their lordships would find upon inquiry quite extraordinary. Though long aware that there existed in Ireland less proportion of crime as compared with England, yet, on a particular inquiry, which he had lately been induced to make, that fact exhibited itself to a degree infinitely beyond what he could have expected, and which would afford the greatest satisfaction to their lordships. He would state the result of the inquiry he had made, only premising, that their lordships were in possession of documents which would bear him out in his statement. He must, however, state, that he was only able to procure official returns from twenty-five counties in Ireland, though he was in possession of the same public documents with respect to every county in England. But, including in the calculation those counties in Ireland which were most disturbed, and where the Roman Catholic religion most prevailed, and comparing their population with the population known to exist in England, he found, that the number of the criminal indictments in Ireland last year were only three thousand and twenty-seven, in a population of four million six hundred and seventy-six thousand; making less than one criminal indictment among one thousand five hundred persons. Comparing that with the amount of persons criminally charged in England during the same year, it appeared, that there were sixteen thousand five hundred and sixty-four criminal indictments, in a population of twelve million two hundred and eighteen thousand five hundred, being in the proportion of one criminal indictment among every seven hundred and fifty persons; while in Ireland there was only one among one thousand five hundred. He felt the more satisfaction in stating this, because he was aware that there were some persons in this country whose imaginations might have been led to conceive that in those countries of Europe where Roman Catholics were admitted to the privileges of the constitution, nothing but persecution and bloodshed prevailed, and they might, therefore, suppose that the same persons would act, in unfortunate and priest-ridden Ireland, nothing but a scene of perpetual lawlessness, vice, and crime. So far from

such being really the case; Ireland, as he had stated, exhibited at present comparatively a much more favourable condition than England, with respect to the general state of morality; and he was justified in stating, that if their lordships had before them a comparative statement of the amount of convictions in the two countries, they would find it still more favourable as respected Ireland.—Having stated these circumstances, he was unwilling to trespass further on their lordships' attention than to state, that the question which their lordships would shortly be called upon to consider was, how far this class, powerful in numbers, in wealth, and in intelligence, should be left separated and detached from the great mass of the public, accumulating by itself for the attainment of its own purposes, or whether it should be inseparably linked and embodied with the interest of the state, to communicate to it, and receive from it, that life and spirit which gave strength and harmony to all parts of the constitution. He was told, indeed, that to the attainment of that great object, there existed an obstacle in the supposed opinion of the people of this country. If it was meant by that, that there might be existing in the mind of the multitude of this country, impressions conceived, or, more correctly speaking, impressions received from others, as to the possible danger of admitting the Catholics to a participation of the benefits of the constitution, it would be great want of candour in him if he did not admit, that there might be such impressions. But when he made that admission, he wished it to be recollected, that he made it with respect to a class of persons, of whom, however respectable in their own calling and situation, it was no disrespect to say, that, from the particular situation in which they were placed, they could not form a competent judgment on the question; and he must confess, that he did think it somewhat extraordinary, that when this description of persons addressed their lordships on points coming within the range of their own immediate observations and perceptions—when they presumed to give opinions with respect to the state of the representation in their own districts, and of the pressure of particular burthens and taxes—when they complained of the local administration of justice—all of which were questions upon which they were as competent to judge as perhaps most other

men, their opinions were then not to be made that great account of; but the moment they came to their lordships, to unfold and expound for them the page of history, and to communicate the result of their accurate observations, as to the effect of religious feeling on civil policy in other countries, then they were to be held a tribunal without appeal, and their lordships were to be invited to lay aside that knowledge which they possessed—to reject from their table the petitions of all the learned classes of the community—of all those, without exception, who were competent from their knowledge, their studies, their observations, and their experience, to form a judgment on the question, and to apply to a supposed numerical majority in the country before they proceeded to legislate. That numerical majority, he would confidently predict, in the exercise of that good sense which belonged to every class of Englishmen, as soon as they approached the subject practically—when they saw that exclusive laws were a real defect, by comparison with the liberal systems of government which were to be witnessed in other countries—when they were able, after the panic with which they were now seized had subsided, to look narrowly into those spectres which now flitted before their eyes, and to take their shape, and reason upon their substance—that numerical majority would be found rejoicing at the act of justice in which their lordships would be speedily invited to join. He had stated, and he was not afraid to repeat it, that of those classes most competent to form an opinion, a very decided opinion had been formed in favour of the measure recommended by his majesty's government; and that opinion was not the less entitled to their lordships' attention, because it was one that had been formed by slow means. In the course of the last thirty years, during which this question had been the subject of consideration, there had been a regular, constant, marked, and progressive, increase of that favourable opinion throughout all classes of the people. In the course of that time, he had witnessed persons, coming into parliament with contrary prejudices, convinced, in parliament, that the only course they had to pursue was the course of liberality. In the course of that time, he had seen persons in parliament prejudiced against that opinion, upon taking offices, in which they were called upon to form a distinct

opinion on the subject, after a review of all the circumstances which affected this great question, renounce their former opinions and declare themselves advocates for concession. In the course of that time, men of great talents had been sent by government in consequence of the duties of their particular situations, to Ireland,—the country where observation was to be formed, and he had seen those men, much to their honour, renounce their former opinions against this question. Let him add, that all these changes of opinion had been made, in opposition to all the views of vulgar ambition,—for no man had ever been in a situation to advance his interest by espousing an opinion favourable to emancipation, which, nevertheless, to the honour of public men in this country, had been successively espoused and manfully defended, without looking to the right hand or to the left, by the most eminent statesmen and orators who ever adorned any country. When he stated, what no one could contradict, that there had been a succession of conversions in favour of Catholic emancipation, would any noble lord tell him of any man converted to the other side of the question, worth naming, during the last thirty years? Would any noble lord tell him of a man of any respect, looked up to in any place, who had been sent to Ireland, where he was obliged to discuss the question, who had renounced his liberal opinions, and seen the necessity of coercion? No: the current was all the other way: there was a complete setting-in of every thing like talent; and now, when the current had reached the full tide, and was joined by the most able and eminent persons who had taken the lead in public affairs, and, among others, by the noble duke at the head of the government, their lordships were to be told, that they must look to the parishes and villages of the country, and if they found a great number of persons who had not considered the question averse to its settlement, they must cease to legislate against what all admitted to be a real and decided danger, and one so imminent, that those who were placed by their situations most immediately near it, had declared the danger to be such as could no longer be suffered. It was the opinion of the bar in Ireland, which though not yet, would be very shortly declared; it was the opinion of the bar in Scotland; it was the opinion of

the merchants and bankers of the second city in England; it was the opinion of the merchants and bankers of Glasgow, the first city in Scotland; it was the opinion of the merchants and bankers of Dublin, of whom, many, from their descent, and from the recollection of former times, might naturally entertain prejudices on this subject. But their lordships had been told, that it was not the opinion of the Church. Far be it from him—nay, he should be the last man—to say that the opinion of the church was not entitled to great respect and attention in that House. At the same time, he must be allowed to say, that he did not consider it to be consistent with national interest, that the opinions of the church should be final on a subject like this. When, too, they heard that the opinion of the clergy was unfavourable to the claims of the Catholics, it must be recollected, that not only many distinguished members of the church, but that many large and enlightened bodies of the clergy, held a different opinion. It was true that the University of Oxford had expressed an opinion one way; but it was equally true that the University of Cambridge had expressed an opinion the other way; and this fact might be fairly presented as an instance of the marked progress of education in this country, and of the triumph of intelligence over deeply-rooted prejudices, when they were once opened to fair and calm consideration. Early in his political life, owing to the opinions he entertained on this subject, and to his having supported a measure recommended by two noble friends of his in that and the other House of parliament, he had the misfortune to lose the confidence of the University of Cambridge, which he had represented in parliament. But even then, at that early period in the history of sound opinions on this subject, a celebrated foundation in that University, of which he could never speak without the greatest attention and respect,—he meant Trinity College—always foremost in the career of wisdom and liberality—anticipated the opinion to which the rest of the University had since arrived; and, of the members of that extensive, learned, and always distinguished, body, a large majority marked the continuance of their confidence in him. Twenty years elapsed, and then an attempt was made to carry a petition against the claims of the Catholics; but the petition was

thrown out by a decided majority; and if the votes of the two Houses, of which the Senate was composed had been called for, the majority would have been much greater. Let him not be told, then, that the learned were opposed to a measure for the relief of the Catholics; for here—in places where the very walls and foundations were sufficient to bring back recollections calculated to raise jealousy, suspicion, and alarm—justice and good sense had made such progress, that these persons had become reconciled, not only to the expediency, but to the justice, and to the utility, of the proposed measure. This was not a fit opportunity for him to speak of the manner in which that measure had been brought forward. He must, however, observe, that it now came forward in the way in which it was most entitled to respect, and under auspices more promising of success than at any preceding period. With this observation he might leave the subject; but having presented a petition which prayed for unconditional emancipation, he must be allowed to say a few words on his own behalf. About five years ago, when he was requested to present a petition to the same effect, he had said, that from zeal to the cause, the success of which he believed to involve the best interests of the nation, he would willingly present it; but that having undertaken the task of presenting the petition, he conceived he had discharged his duty, and he begged to be distinctly understood to reserve to himself the right of judging of the time, the mode, and the circumstances, under which the question should be decided. He begged to be understood as speaking for himself, and for himself only. To the conditions attached to the measure—conditions which he would not then argue—he could not entertain any objection. He meant those conditions which regarded the Catholic religion. He had never, for a moment, contemplated, that any measure on this subject would be allowed to pass, without such reasonable securities as should satisfy the doubts and calm the consciences of the Protestants, while they inflicted no wound on the feelings of the Catholic population; and he saw nothing of a contrary character in these conditions. They were of such a nature, that they ought to reconcile the opinions of all who entertained doubts and objections; and, for his own part, he was satisfied that they would have this effect on all minds

that were open to conviction. Among these conditions, however, there was one which ought to stand upon its own merits: he meant that which related to the forty-shilling freeholders. He had always been one of those who thought that this system, and that the abuses of this system, called for the consideration of parliament; and he should be doing injustice to his majesty's ministers if he supposed that they had brought in such a bill, merely on a Catholic view of the subject. From what he knew, from what he had lately heard, from information which, if it were expedient to do so, he could communicate to their lordships, he had no doubt that the system of forty-shilling freeholds was one which ought not to continue. It was a vicious system, causing mismanagement of property, creating a false relation between landlord and tenant, disorganizing the relations of society; and the abolition of it would be beneficial at once to the landlord, to the government, and to the unfortunate electors themselves. On these grounds he had held himself prepared to enter freely into the consideration of the question; but certainly he had never contemplated so strong—he had almost said, so violent—a measure, as the disfranchisement of those who had become legally possessed of their franchise; and while he believed that as speedy a return as could be effected to a more limited number of electors would be beneficial to Ireland, he could not but recoil, in some degree, from the disfranchisement of so many. On English grounds, therefore, he was inclined to pause before he gave his consent to such a measure; and, without carrying his opinions of vested rights so far as some noble lords were inclined to do, he did not think that large bodies of persons ought to be deprived at once of privileges which the laws had conferred upon them, without great consideration. It was on principle only that he spoke. The persons more immediately concerned would doubtless be benefitted by the change. The influence of the priests would be destroyed, and the interests of the landholders, who had carved out these votes for political purposes, would so far be at an end: whether the wave was thrown back one way or the other,—whether the priests were to lead the people, or whether their votes were to be governed by the landlords,—these were neither of them interests to be regarded, but, on the contrary,

to be put down by all legal means. It was upon legal interests that he had spoken, and that he had stated the doubts which, on principle, he entertained; but he must say, at the same time, that the measure was so important, as placing the Catholics on a firm footing, and within the permanent law of the country, in a manner which reflected the greatest honour and credit to his majesty's ministers, that he looked forward confidently to the ultimate result of the exertions of the two Houses of parliament. From those exertions he might safely expect the settlement of this great question by a measure which would give peace, or at least lay the foundation of peace, where there had hitherto been strife—which would give strength where there had hitherto been weakness, and which would establish harmony, concord, tolerance, and forbearance, in the place of intolerance, jealousy, and suspicion. Such were his hopes, and he hoped, too, that this petition, from a tranquil and obedient body of persons, would meet from their lordships the attention it deserved.

The Duke of *Sussex* stated, that he had to present a petition from the inhabitants of London, Westminster and the vicinity, in favour of concession to the Catholics. The petition was signed by between seven and eight thousand persons, all of the most intelligent and respectable description; and he should not be mispending the time of their lordships, if he said a few words as to the manner in which it had been got up, and the description of persons by whom it had been signed. These persons had at one time thought it would be the most proper course not to petition at all, but to leave the question to the legislature; but in consequence of another petition which they saw was in progress against concessions to the Catholics, they determined to petition in favour of concession. The petition was laid in a room, and notice given of its being there, and of its nature and object; but nobody was invited to sign it. When any one came to sign, a person in the room informed him of the nature and object of the petition; and when it appeared that any person had signed the petition by mistake, the name of that person was expunged from the list. But, notwithstanding this very cautious mode of proceeding, an attempt was made to prevent its being signed, and placards were placed before

the door, dissuading all persons from having anything to do with it. But the Petition was, notwithstanding, signed by one hundred and sixty-eight lawyers, one hundred and forty-nine medical gentlemen, sixty-eight members of the Stock-Exchange, a great number of bankers and others of high station in society, and upwards of five thousand respectable tradesmen. He ought also to state, that it was signed by seventeen Quakers, and would no doubt have been signed by many more of the Society of Friends, were it not that the strictest Quakers did not think that they could conscientiously sign a petition addressed to the Lords Spiritual. Some, however, had not that difficulty, or at least, their attachment to the principle of civil and religious liberty was strong enough to overcome their scruples.

The Earl of *Darnley* said, that the petition which he held in his hand was from Rochester, but the prayer of it was in favour of the Catholic claims, and he might say, without fear of contradiction, that it expressed the opinions of the well-educated and enlightened inhabitants of that city. Some of the most respectable of those persons whose names were attached to this petition had formerly been adverse to the claims of the Catholics, but now, on deliberate conviction, they were favourable to the granting of them. No canvass had been employed for signatures to this petition,—it was an emanation from the spontaneous feelings of the petitioners. On the subject of petitions generally, no man was more inclined to encourage petitions than he was. Nothing could be more proper than that the petitions of the people should be met with due respect and attention; and in complaints against particular taxes and so forth, he did not know that the prayer of the most humble petitioner was not entitled to as much consideration as that of any other person. In other words, the petition of any man, be he ever so humble, if he understood the matter respecting which he petitioned, was as good as that of the highest petitioner; but, on a subject full of political and religious difficulties—on a subject which involved the question, whether others should be deprived of privileges which the petitioners enjoyed,—he did say, that the competence of the petitioners to form an opinion on the subject ought to be taken into consideration. His noble friend who had recently spoken had urged this point

in language so much better, and with argument so much stronger than he could command, that he would say no more upon it; but, whatever the numbers of the petitioners might be, the majority of the intellectual and well-educated part of the community were, he would assert, in favour of the Catholic claims. He had been told that day, that a petition, praying the king to dissolve the parliament, had been hawked about Kent; that it had been signed by paupers and schoolboys; and that the question put to persons, and to which, of course, they would receive but one answer, was, "Are you for King George the 4th? Then sign this petition." He would contend that such a petition, however numerously signed, could be worth very little.

The Duke of *Richmond* said, the noble earl seemed to be a little angry with him, because he had ventured to say that he thought it the duty of any noble lord who knew that petitions had been obtained by undue means, to bring the guilty parties to the bar of that House, in order that they might be made such an example of, as would deter others from similar practices. When the noble earl spoke of the incompetence of many of the petitioners to judge of the Catholic question, he could not, at all events, say that the freeholders of Kent, when they assembled at Penenden-heath, did not know what they met for. They had had the advantage of that noble earl's eloquence,—they had the advantage of the eloquence of many other noble lords; and they had, also, the advantage of the eloquence of an Irish barrister, and, for his own part, he would rather have the eloquence than the opinion of a barrister, unless he was paid for it—but still the meeting had decided against the Catholic claims. He did not mean to attack the members of the bar, or the other respectable gentlemen who, they were that evening informed, had signed many petitions in favour of the Roman Catholics; nor was he sufficiently in the habit of addressing their lordships, to answer all that had fallen from the noble marquis; but still he considered it to be his duty to offer a very few remarks to the House. The noble marquis had adverted to the change of opinion which had taken place in this country. They were told that the lawyers had changed their sentiments, and that many clergymen had done the same thing; but the noble marquis forgot to mention

the change in the opinion of the Premier. Now, give him but the premier's opinion, and he cared not for the opinion of any other person. He did not mean to trouble their lordships further; but this he would say, that he never would condescend to call in the aid of popular clamour, to support or defend any cause or opinion which he espoused. He had for a long time maintained what might be deemed prejudices with respect to the question which now agitated the country; and those prejudices had been strengthened by the speeches of several noble lords who now took another view of the subject. The dangers which were to be apprehended from concession he had heard forcibly described in that House, and they had also been ably described in the other House of parliament. In each House they were emphatically told, that they would not satisfy the people of Ireland by concession; at the same time that they would break down one of the barriers of the constitution. This was formerly the opinion of noble lords, although they had since altered it. He here begged leave to ask one question. Noble lords had declared, that they wished to conciliate a large body of people; but though they might grant emancipation, were they likely to effect the object of conciliation, when they took the elective franchise from the same individuals? He conceived that they were not. He would give every parliamentary opposition, not only to this measure, but to every other, which appeared to him likely to endanger the constitution.

ROMAN CATHOLIC OATHS.] The Earl of *Eldon* rose, pursuant to notice, to move for an account of Roman Catholics in England who have taken the oaths under the act of 1791; and in Ireland, who have taken the oaths under the act of 1793, each since the year 1815. The noble earl observed, that he believed the motion which he was about to submit to their lordships would not meet with any opposition. In consequence of his notice of motion, he had not brought down any petitions to-day; a circumstance which he was sure would not be displeasing to their lordships. Now, he could not help remarking it as a very singular thing, that, at the present day, when the people of Great Britain had spoken their sentiments and feelings to the parliament of Great Britain more than they had done on any question for

the last fifty years—that noble lords on the other side of the House should now, for the first time, find out, that those alone who petitioned on their side of the question were respectable. The petitions which they presented were described as having been signed by the most respectable men in the country; while the petitions which he had the honour to lay before their lordships, were stigmatised, and treated with contempt. He was told they were signed by paupers and charity children; when not one imputation of that kind could be justly applied to any of those petitions. He had heard it that night imputed as a fault, that the people should presume to form a judgment on the important question which was soon to be decided by their lordships [hear, hear.] Yes, that they should presume to judge! They might, it was admitted, understand matters of trifling moment, by which their interests were affected; but when they were asked to destroy (for he would use that strong word) those establishments which had subsisted in this country for a hundred and forty years—establishments which were instituted for securing their rights, their liberties, and their religion—establishments which had been formed by a parliament that contained lawyers and divines, of character and eminence, certainly not surpassed by those of the present day—when the people were asked to submit to such a sacrifice, they were told, that they ought not to presume to give an opinion on the subject. When such a doctrine as this was set forth, it would be useless for him, in what he had to remark, to say one word about the constitution. With respect to the act which related to the Catholic Association, his firm belief was, that it would be found ineffectual. The dissolution of that body by the parties themselves was no security against their re-assembling. With respect to his present motion, it had no reference at all to Ireland. He had no knowledge of what was passing in Ireland, so as to enable him to speak with reference to that country, and he should therefore confine himself entirely to England. The English act of 1791, by which the Roman Catholics of England were enabled to claim certain benefits, contained an oath, on taking which they became entitled to the relief proposed to be given to them under the act. That oath was the security which they gave to the state, in consequence

of their exemption from certain penal laws. By that oath, they bound themselves to bear true allegiance to the king on the throne, and to the succession, in the heirs of the body of the princess Sophia, “being Protestants;” but the oath contained in the Irish bill of 1793, only pledged the Roman Catholics to bear allegiance to his majesty’s family, without stating that that family must be protestant. These words were unaccountably omitted. On a former occasion, in 1813, it was stated, that many persons in England had taken the oath, and had thus become entitled to the benefits contemplated by the act of 1791. The act directed, that every person should take this oath in certain courts, or at the court of quarter-sessions; and if there happened to be an adjournment of those courts, the oath was to be taken before certain officers connected with them; and, in either case, the oath was to be certified and sent in to the privy council. An attempt was made to ascertain how many persons had taken the oath under this act; but it was found that none of the officers of any of those courts had made a return to the privy council. A mode was, however, discovered for obtaining the necessary information; which information was procured from the officers of the courts in Westminster-hall. From the information obtained in this manner, it appeared, that in some counties not one individual had taken the oath; in some, two persons; and in some, four. The number, on the whole, who had taken the oath, compared with the great body of the Catholics in this country, was very inconsiderable. In 1815, he had proposed a motion, that there should be laid before the House, a list of persons professing the Roman Catholic religion, who had taken the oath since 1813, to which a return was made; and he now wished that return to be extended to the present time. —There was another act for the relief of Roman Catholics in Scotland; and he understood, with respect to Scotland, that the oaths should be returned to the sheriff clerk’s office; but whether they had been regularly so returned or not, he was not informed. He did not mean to go further into the subject. The acts to which he had alluded—those of 1791 and 1793—were intended to relieve persons from penalties to which they were liable under former acts. They were effectually relieved from such penalties, if they took

the prescribed oaths, but not otherwise. In saying this, God forbid he should be supposed to wish to subject any person to those penalties! No man could wish more than he did to see the penal laws contradistinguished from the disqualifying laws. That was a distinction which, he believed, met with the approbation of all mankind. What he said was this—that when they came into the senate to relieve the Roman Catholics, who could not relieve themselves, if those persons did not, through inadvertence, act in strict conformity with the law, he would not deal hardly with them. So far from wishing to subject them to the visitation of the penal laws, he would, if it were necessary, bring in a bill to set the matter right. It was on the grounds which he had stated, that he meant to move for the return he then held in his hand. He should now, with their lordships' permission, read an extract from his majesty's Speech on the first day of the session, for the purpose of making an observation or two upon it: "His Majesty recommends that you should take into your deliberate consideration the whole condition of Ireland; and that you should review the laws which impose civil disabilities on his majesty's Roman Catholic subjects. You will consider whether the removal of those disabilities can be effected, consistently with the full and permanent security of our establishments in church and state, with the maintenance of the reformed religion established by law, and of the rights and privileges of the bishops; and of the clergy of this realm; and of the churches committed to their charge. These are institutions which must ever be held sacred in this Protestant kingdom, and which it is the duty and the determination of his majesty to preserve inviolate." This pledged his majesty to do nothing that could endanger the constitution. His majesty called on the legislature to consider the laws affecting his Roman Catholic subjects; but he distinctly declared his determination to preserve the Protestant constitution inviolate. That his majesty would adhere to this determination he had no doubt, and he could but express his gratitude, as an individual, for the gracious message which announced that determination; and that gratitude was the more called for from him, because, if any thing had been said in any place respecting his majesty's determination—and it could not, he must

observe, have been stated in a parliamentary manner—that declaration afforded him an answer to it. If it were the fact, that something had been said on this subject in their lordships' House, he had a right to recur to it, as had been formerly done when some observations were made by an archbishop and a bishop—and he would state his own positive and decided conviction, founded upon means of judging of his majesty's opinion, such as few persons had the happiness to enjoy—that it was his majesty's determination, in the terms of his most gracious Speech, to preserve inviolate the Protestant constitution and frame of government in this country. The question therefore would be, whether the measures which were soon to be submitted to their lordships' consideration were of such a character, that his majesty might give his consent to them, and yet preserve inviolate the Protestant constitution and form of government. He should be guilty of the grossest ingratitude to that illustrious personage, if he did not state his firm conviction that his majesty never would give his consent to any measure unless that condition, by which he would be enabled to maintain inviolate the Protestant constitution, was clearly complied with. The noble and learned earl concluded by moving for the return which he had described in the commencement of his speech.

The Marquis of *Lansdowne* observed, that it was necessary for him to say a very few words with respect to one of the remarks of the noble and learned lord. The noble and learned lord had stated, that he had heard with surprise in that House expression given to a feeling of contempt, that the people of this country should presume to judge of the question at present before parliament. Now, the surprise of the noble and learned lord was the creation of his own brain; for he had never said, that the people should not presume to judge of this question. He did say, that the people had unquestionably the right to judge for themselves, and to petition that House; but he had expressed his surprise, that many noble lords should appear disposed to pay less attention to the petitions of the people on subjects which they understood the most, than to petitions which concerning subjects which they understood the least. His statement was directly the reverse of what the noble and learned lord had described.

The Earl of *Eldon* asserted that the noble lord had used the word "presume."

The Marquis of *Lansdowne*.—I did not use such an expression. The noble and learned lord may have thought that I said so, but I did not. Nothing can be more opposite to my feelings than such a sentiment. So far from presumption, I consider it a duty, on the part of the people, to state their opinion. I say they have a right to judge for themselves.

The *Lord Chancellor* said, he did not rise to oppose the motion of his noble and learned friend, because he was desirous, and every member of his majesty's government was desirous, that every information should be granted, to assist their lordships in forming a just estimate of those important measures which were now in progress in the other House of parliament; and he should not have addressed their lordships on this occasion, had it not been for an observation that had fallen from his noble and learned friend. His noble and learned friend had read a passage from his majesty's speech, at the opening of the session, on which he had also commented. Now, his noble and learned friend had stated, from time to time, that in presenting petitions, or in making any motion, he would abstain from entering into any discussion on those important measures now in progress. But his noble and learned friend, with an address and an ingenuity peculiar to himself, contrived, notwithstanding his declarations, frequently to glance at and to condemn those measures which were recommended by his majesty's government. His noble and learned friend had, indeed, on one occasion, described them as measures of a most detestable nature; and he now pointed out or insinuated, that they were inconsistent with the Protestant establishment—that they were inconsistent with the Protestant frame of government in this country. It was enough for him at present to state, that he would not enter into the discussion of those questions at that moment; but he pledged himself, in opposition to his noble and learned friend, when the measures came before the House for regular discussion, to prove to the satisfaction of their lordships, and to the satisfaction of the country, that those measures were in no respect inconsistent with the establishment to which he had alluded,—that they are not at all inconsistent with the Protestant constitution

and the Protestant religion of this country. So much for that topic. Again, his noble and learned friend, in the same style of observation and censure, had glanced at the measure that had passed both Houses of Parliament, and received the Royal assent. He had observed, that that measure would be found totally inefficient and ineffectual. It was, however, strange that, with all his experience, with all his knowledge, with all his talents, with all his desire to put the Catholic Association down, he had never given the House the benefit of his assistance—he had never entered into any discussion on that measure—he had never pointed out a single defect—he had never attended in his place when that measure passed through a committee of their lordships' House. It was a little too much, then, when he would not enter into its merits at the time that it formed a subject of legitimate discussion, for his noble and learned friend to come forward now, to glance at its defects, and to declare that it was absolutely inefficient for its professed object.—There was another topic to which his noble and learned friend had adverted—he meant the insinuation which his noble and learned friend had thrown out, with respect to the Roman Catholics of Ireland; as if the Roman Catholics were unwilling to take an oath to support the Protestant succession. In the eighteenth year of the late king, the oath was framed in England, in the way in which his noble and learned friend had stated,—the word "family" was then introduced, without the word "Protestant." Afterwards, in 1791, when a bill was brought in by a noble and learned member of that House, the Roman Catholics, under that bill, swore to support the Protestant constitution and succession, just as the Protestants did. Now, he wished to recall to the recollection of their lordships, the history of those oaths in Ireland. The oath to which his noble and learned friend referred, was contemporaneous with the English oath, in which the word "family" was introduced. But the Irish oath of the eighteenth of the late king, was followed up by another in 1793, which was dissimilar to the former. Now, could any one fairly contend, if it had been suggested to the Irish parliament, that a different form of oath should be adopted, that the Roman Catholics would not have taken it? But let their lordships look to

what had taken place since, as a refutation of the charge which had been insinuated against the Roman Catholics. And here he might be allowed to say, that he felt himself bound to defend the Irish Roman Catholics against the imputation which his noble and learned friend had cast upon them. In 1813, in the other House of parliament, an oath was proposed to the Irish Roman Catholics, containing the clause, the omission of which his noble and learned friend objected to. That clause, thus framed for the Roman Catholics of Ireland, was taken precisely from the oath administered to the Protestants of this country. How was that oath framed? Was it framed solely by the hon. member who introduced the bill into the other House of parliament? No such thing; every one knew that it was framed in concert with the principal Roman Catholics of Ireland, who approved of it. Every phrase of the oath was considered in conjunction and communication with the Roman Catholics of Ireland.—But the matter did not stop there. In 1821, another proposition was made, and another oath was introduced. Again, in 1825, a similar oath, containing precisely the same expressions, was introduced; and he never heard till that moment, that the Roman Catholics of Ireland were not ready to take any of these oaths. He had found it necessary to notice these observations of his noble and learned friend. The charge was not made in direct terms against the Roman Catholics; but his noble and learned friend did insinuate, that the Roman Catholics were unwilling to swear that they would support the Protestant succession to the Crown of these realms? and he thought it was his imperative duty, considering the insidious manner in which these insinuations were thrown out, day after day, not to suffer them to pass without observation. He would maintain, that the Roman Catholics of Ireland were ready to support the constitution as strenuously as the Protestant people of Great Britain. It was on account of his confidence in them, that he gave his support to this measure. He harboured no doubt of their intentions; and it was because he entertained an opinion directly opposed to that of his noble and learned friend, that he would, by every means in his power, uphold the measure which his noble and learned friend had so severely censured, and so loudly condemned.

Lord Redesdale said, that the oath of 1791 was framed in consequence of the protest of a great number of the Roman Catholics in England; and when it was proposed in Ireland it was refused. The people there said, “How can we take an oath to support the succession in a family, the members of which are of a religion that we do not believe in?” Therefore, he would assert, that at that period the Irish Catholics refused to take the oath. What it was proposed to do now he could not possibly tell; but he thought their lordships ought to possess returns of the description which his noble and learned friend had called for. The protest, which was originally signed by English Roman Catholics, had, if he understood right, four thousand names affixed to it. Upon taking the oath to which that protest gave rise, they were entitled to considerable privileges, which they could not enjoy, unless that oath was administered to them. When the bill first passed, circumstances induced many Roman Catholics to take the oath; but, according to all the information he had received, very few had taken it since. And why did they not take it? Because, as he was informed, a similar oath was not required to be taken by the Roman Catholics of Ireland. It appeared to him, that a considerable degree of influence must have been exercised over the minds of the Roman Catholics in this country to prevent them from taking the oath; because, unless something of that kind had been resorted to, they would not have run the risk which they encountered by refusing to take the oath. He was very glad to be informed, that the Roman Catholics of Ireland would now have no objection to take this oath; and he trusted that the objections raised to it by the Roman Catholics of England would be thus removed; for it was a fact, that hitherto this oath had not been generally taken by them. He had often himself earnestly entreated them to take it, reminding them that their not doing so produced an impression in the country, that they were not disposed to support the Protestant succession. It was very important that there should be some settled and established religion in this country. The Protestant was now the established religion in England and Ireland, but it would obviously be impossible for a government to go on in quietness and peace, if once dissent were established. It was plain that there must be some predo-

minant established religion, for the purpose of preserving peace, tranquillity, and good order in the country. If the Roman Catholics of Ireland were disposed to submit to that which was now established by law; namely, the Protestant religion, he should be extremely glad to find them evince such a disposition. But, whether or not, they were so disposed at present, he could not help saying, that from all he knew on the subject, not very long ago such a feeling did not exist amongst the Catholics of Ireland. In the observations in which noble lords indulged in that House upon the petitions presented to them, they seemed to forget that every individual, even the lowest in the land, was interested in the present inquiry, and that the poorest man in the state had a right to express his sentiments on a question involving the maintenance of that establishment which he considered necessary to the peace of the country. So far the lowest of the community were as competent judges on this matter as any of their lordships. The language which he had heard in that House, and the manner in which those petitions had been treated by their lordships, had indeed surprised him. He could assure their lordships, that the language which had been employed had created great alarm in many parts of the country. The people naturally said, that this was a subject which they were required, by the law of the land, to take into consideration, and that it was strange they should be told that they were not competent to judge on such a subject. Such language should not be applied to the lower orders of this country. He trusted that the measures which were shortly to be brought forward in that House, would be attended with the effect which some noble lords confidently predicted from them, of producing quiet and good order in Ireland. He would confess that he doubted much that they would be followed by such consequences. His doubts regarding the re-establishment of peace and good order in Ireland did not depend on a question of this description; but he would say, that peace and good order could never be restored in Ireland until the government there was conducted on a different principle from that upon which it had been conducted ever since the landing of the English in that country. He would maintain that the great misfortune of Ireland was, that the law never governed Ireland. If they could make the

law predominant in Ireland, and establish the government there upon such a principle, then, and not till then, would they behold peace and quietness in that country.—With respect to the bill for the suppression of the Catholic Association, his opinion was already recorded upon the Journals of their lordships' House. He took that bill to be nothing better than a piece of waste paper. Indeed, in his humble opinion, it was something more—it was a slander upon the common-law of the land. There was not, in his mind, the least doubt, that if the government of Ireland had done its duty, the Catholic Association could have been suppressed long ago, by taking proceedings against it in the common-law-courts. Of this he was firmly persuaded, that if the common-law could not put it down, neither the present nor any other bill would effect that object.

Lord *Plunkett* said, that after what had fallen from the noble lord who had just sat down, and after the observations which had been made by the noble and learned lord who had preceded him, he could not avoid trespassing upon their lordships' attention for a few moments. He should feel it his duty, in the first instance, to apply himself to some part of that very extensive range, into which the noble and learned lord who had introduced this motion, and the noble lord who had just sat down, had thought fit to go; and, with regard to many of the observations which had fallen from those noble lords, he must say, notwithstanding all his respect for those noble lords, that they wandered much from the subject immediately before the House. Many of the observations of those noble lords applied to a measure which had passed that House, and which was now beyond their lordships' reach, and to another measure, which was not as yet before them, and respecting which any discussion for the present was, to say the least of it, out of place and irregular, and one into which he did not imagine the noble and learned lord would have strayed. He had supposed, that the word "constitution" would have been struck out of the observations of the noble and learned lord for that night; and yet all the observations made by that noble and learned lord were founded on the assumption, that the measure which had been recommended from the throne to the consideration of Parliament would be subversive of the constitu-

tion of Great Britain. If this were not the proper time (as the noble lord himself acknowledged) to discuss that measure—if the period for its regular consideration had not as yet arrived—was it, he would ask, right or fitting, that observations like that should go forth amongst the lower orders in this country, and that the poor, the ignorant, and the uneducated, should be taught to believe that a measure which had been deliberately recommended from the throne would violate the Coronation Oath, and subvert the Protestant constitution of this country? He would confess that he was somewhat alarmed when he heard the noble and learned lord say, that “upon his own knowledge he could say that his Majesty’s consent would never be given.” His apprehensions were greatly excited when the noble and learned lord had proceeded thus far in the period; but the sentence ended in a way perfectly satisfactory to him, and he was sure to all noble lords in that House; namely, “that his majesty’s consent would never be given—to any measure calculated to subvert the Protestant constitution of this country” [Hear, hear]. The noble and learned lord might, if he pleased, exercise for the future his talent at prophecy, but he was not much inclined to attend to the noble and learned lord’s lucubrations in that way; for he could not forget that last year the noble and learned lord had thought proper to give utterance to a prophecy, when the bill for the relief of the Dissenters was before their lordships, and the result only proved—how much the noble and learned lord had been mistaken. The other noble lord had contended, that the government of Ireland ought to have put down the Catholic Association, and that they possessed the power to effect that object. He was sure it would be some consolation to the noble marquis who had lately held the reins of government in Ireland, and to his noble friend who sat behind him (the marquis Wellesley), that they shared the censure pronounced by the noble lord, with all the governments that had existed in that country since the reign of Henry 2nd, and that the censure had been spread out by the noble lord on so large a space, that but a small division of its weight could be allotted as their respective portions. He should endeavour to rescue the government of that country, the two noble personages that had been alluded to, and the distinguished persons that

had preceded them in the government of Ireland, from the unfair aspersion which had been cast upon them. He never remembered a period, as long as he was connected or acquainted with the government of Ireland, when the laws were not fairly administered; and he would maintain that the vices which prevented the full, and complete, and satisfactory, administration of the laws of that country, were to be found in the laws themselves; and that it was absolutely impossible for any government to administer such a system of laws—so as to give satisfaction to the country. And here he could not avoid remarking, that no observation had ever done more mischief amongst the people of Ireland, or had diffused so great a disrespect for the laws of that country, as an observation which had fallen from the noble lord who spoke last;—namely, that “in Ireland there was one law for the rich, and another law for the poor; and that both were equally ill-administered.” That observation had passed into a proverb, and it was regularly brought forward in every case of attack upon the constituted authorities of the country. Now, he would say, that no such principle had been acted upon in Ireland. He had had a better opportunity of observing the system of government pursued there, than the noble lord’s two years’ residence in that country afforded him, and he would say, that no charge could be more unfounded, and that the law in Ireland had been administered equally and impartially.—The noble lord had arraigned the Irish government for not putting down the Catholic Association. It was impossible for the government of that country to put down the Association by force of the existing law, or by any law, through the ordinary medium of the legal tribunals of the country. He was therefore of opinion, that the mode of proceeding recently adopted for putting down the Association was a wise one, inasmuch as it armed the government with a summary power to put down that body, and to repress any manifestation of feeling which its extinction might be calculated to excite. If hereafter there should be evinced a disposition in Ireland to rebel against that law, or to evade it, let not such disposition be imputed to the framers of the law, but to those who told the people that they could drive not merely a donkey-cart but a coach and six through it.

The noble and learned lord, instead of giving his assistance to render that law effectual, told the people of Ireland, that it was a flimsy act, which they could easily evade. Was it the duty of the noble and learned lord—of a person of great experience and legal research—instead of devoting his attention to this law, with a view to render it calculated for the objects it was intended to accomplish, to come down, as he had done, to that House, after it had been passed, and to state that it was so imperfect that it would be easily evaded? The noble lord who spoke last had insinuated, that, under the principles of the existing common-law of the land, the Association could have been put down. Now, it would be satisfactory to him, and no doubt to their lordships generally, to learn from that noble lord any proceeding at common-law, by which that body could have been put down. He would not say, that a great portion of the proceedings of the Association was not contrary to the common-law, but he would maintain, that an indictment against the Association would be utterly untenable as a principle of common-law. It was the law, that the people could only be represented in parliament. If, therefore, any body assumed a representative capacity, and performed the functions of parliament it would, in so doing, violate the spirit of the common-law. But, the assertion that where particular laws were framed, to exclude a people from being represented in parliament, any body that represented them, for the purpose of petitioning for redress of their grievances, came within the principles of the common-law, he would utterly deny. If the noble lord would point out to him a page in the common-law—in that body of tradition and written law in which it had been handed down—in which it was laid down as a principle, that any portion of the people of this country should be permanently excluded from parliament, he would engage to show the noble lord, in the next page, a principle recognizing the perpetual existence of a committee for sending forward complaints and presenting petitions. In looking at the petitions from the people of England, he was satisfied, that they were entitled to the utmost respect, and they were more entitled to respect, as they manifested the strong attachment of the petitioners to the Protestant constitution of this country. So far the petitioners

were entitled to respect and attention; but when they proceeded to express their fears, that a measure for Catholic relief would endanger the Protestant constitution of this country, he did not think that this House was at all called upon to defer to their judgment on that subject. The privilege sought by the Roman Catholics was admission to the constitution. They sought not to do away with any means of security, or to take away any of the privileges possessed by the people of this country. But if it were a portion of the privileges of the people of this country, that any portion of the people should be shut out from the benefits of the constitution, and if, to take away from the Catholics the privilege of sitting in parliament, or of filling offices in the state, was to confer a privilege on the Protestants, he would say, that it was downright robbery and injustice. If you should take a thing from A and give it to B, that was an act of unqualified injustice; and so the principle which recognized the exclusion of the Catholics as a privilege belonging to the Protestants was one of robbery and injustice. Did the noble lord mean to say, that the people who had assembled at these meetings to prepare anti-Catholic petitions, who were gathered at parish vestries and parish meetings, were persons competent to instruct parliament as to the true law on these points? Let the noble lord, when he came to argue this question at the proper time, go himself into all the points connected with the laws and the constitution; and let him then show, if he could, that the measure for the removal of Catholic disabilities was calculated to shake the foundations of the constitution of these realms; but to say that the lower orders of the people could give information to the House on these mysterious, he would call them, and higher classes of public policy, was ludicrously absurd. Let noble lords but for a moment reflect upon the nature of the Union between Great Britain and Ireland, and they must at once perceive, that it was a dangerous mistake, to say that the opinion of the people of England should be committed against the rights and privileges of the people of Ireland. He would not say, that at the period of the Union, there had been an express understanding and agreement with the people of Ireland that it would be followed up by the measure of emancipation, but there was certainly a very general

expectation that, as soon as the Union was passed, a measure of that description would follow. Lord Cornwallis, lord Castlereagh, and Mr. Pitt, who had been principally instrumental in having the Union carried in Ireland, when they found that it was not to be followed by emancipation, retired from the councils of his majesty. Now, let their lordships suppose, that the Union had never been carried, and that the parliament of Ireland still existed; and suppose a measure, restoring their rights and privileges to the great body of the Irish people, had obtained the assent of the Crown and of the parliament of that country—would it be endured by the Irish people, that they should not regulate their own concerns, because the opinion of the lower classes of the people of England was against the measure? The persons who ascribed dangers to the constitution from this measure would never think of doing so, if the Union had not existed; those persons adopted a line of proceeding calculated to shake the foundations of that Union, and to raise up a principle of national hatred, which, combined with the principle of religious hatred, would operate doubly against the liberty, happiness, and peace, of the country.—He would now take the liberty of making a few observations, in reference to the motion which had been introduced by the noble and learned lord. He must say, that that noble and learned lord had not dealt with the question with his usual frankness. The noble and learned lord said, that his measure did not deal with Ireland at all, while the greater portion of the noble and learned lord's observations were applied to the system which had been adopted in Ireland, to give the Catholics the opportunity of obtaining admission to certain offices and privileges, on complying with certain conditions imposed by the legislature. With regard to the argument which the noble and learned lord had raised on the point respecting the succession, it was sufficient to state the simple facts, to afford a full answer to the noble and learned lord. In the year 1774, an act was passed which required from the Roman Catholics a declaration to support the succession of the royal family. After that act was so framed in Ireland, the act of 1778 was framed, and he would call their lordships' attention to the form of oath which was employed in that act—the 18th George 3rd., c. 6. By that act

the 13th and 14th of the king was adopted; and he would beg their lordships' attention to the mode in which that act of the 18th of the king was passed in this country. It was introduced into parliament, not by the advocates of the Roman Catholics—it was brought forward by two distinguished men at that time, who were remarkable for their devoted attachment to the Protestant establishments of this country; he alluded to sir George Saville and Mr. Dunning. That act was taken up by lord Thurlow, who was then Attorney-general; who said, he would give his best attention to it, and would follow it up through all its details. Under such circumstances, that act was passed in Great-Britain, and, unfortunately, it was afterwards followed up by the Irish parliament, and its very phraseology adopted. What object could there be for that conspiracy, the existence of which the noble and learned lord would seem to suppose? They pledged themselves to support the succession to the throne in the House of Hanover, but as the words "being Protestants" were omitted, it was at once to be assumed, that these Catholic conspirators had provided for an occasion when some member of that House might become a Papist, and when, the other members remaining Protestants, it would be open to the Catholics to join the professor of their own creed, and support his claims to the Crown. It was for such an improbable, such a wild and ludicrous purpose, that they must believe the existence of such a conspiracy.—After the act of 1778 had been adopted in England, then came the act which passed in the Irish parliament in 1782; and he would beg to call their lordships' attention to that act. The act of 1782, finding that the previous act of the 13th and 14th of the king had already provided a declaration for the Catholics, and that the language of that act had been adopted in the English act, proceeded upon the authority of the act of the 13th and 14th of the king, strengthened by the act of 1778 in England, to enact in these words:—that, "whereas, all such of his majesty's subjects in this kingdom, and all persons whatsoever, who shall hereafter take and subscribe the oath and declaration prescribed by the 13th and 14th Geo. 3rd., ought to be considered good and loyal subjects of his Majesty." There was the conspiracy! These were the conspirators who, by taking this declaration,

were entitled to be considered good and loyal subjects of his Majesty! The act then proceeded to enable those who subscribed and took that oath to fill those situations, and obtain those privileges, which were then opened to them on such conditions.—He next came to the Irish act of 1793. In the mean time, the English act of 1791 had been passed, in which the words “being Protestants” were introduced after the words “the Princess Sophia, and the heirs of her body.” The noble lord who spoke last had said, that he had known Catholics object to take that oath. He knew not upon what authority the noble lord stated that circumstance; but it was remarkable, that it was the first time that he had ever heard of the objection having been made. As for the act of parliament itself, it was strong enough. The noble lord contrasted it with the Irish act of 1793. Previous to the passing of that act, the Roman Catholics of Ireland had published a declaration, disavowing, in the most unequivocal terms, the odious and revolting doctrines which had been imputed to them. The act of 1793 was not introduced by an advocate of the Roman Catholics. It was an act brought forward on the authority of government, and introduced into parliament by Mr. Secretary Hobart. A right hon. gentleman, now no more, at the time said, that it would be a good thing to embody in it the declaration made by the Catholics, disavowing the odious tenets imputed to them. The suggestion was adopted, and that was the only oath to be found in the act of 1793. The oath framed for Roman Catholics by that act, and required to be taken by them, must be considered by them as a degradation in itself; for it contained the disavowal of the most abominable and odious doctrines. But the act of 1793 did not first introduce the other oath which was at present taken. The act of 1793 said, that the persons who abjured those obnoxious tenets, and who took the oath prescribed by the former act—the 13th and 14th of the king—should be entitled to all the privileges which the laws then conferred on Roman Catholics.—From what he was now going to state, their lordships would see what credit was due to the assertions of the noble lord. In the year 1813, a bill for Catholic emancipation was introduced by his lamented and eloquent friend, the late Mr. Grattan. That bill was criticised by the agitators in

Ireland. They quarrelled with a great part of its enactments; and they cavilled most against the details of the bill: yet, though the oath proposed by Mr. Grattan was similar to that contained in the act of 1791, they never mentioned it among their objections to the bill. What had taken place between 1792 and 1812 to cause such a change in the sentiments of the Catholics? It remained, indeed, for the noble lord, and those who had informed him that the Catholics objected to the oath in the act of 1791, to state what had occurred between 1793 and 1813, that had effected such an extraordinary change in the opinions of the Roman Catholic body. In the Catholic bill which he (lord Plunkett) proposed in 1821, the oath of the act of 1791 was not introduced in terms; for the frame of that bill was different from that of the bill of 1813. In that bill of 1821 that oath was not introduced, as he proposed a common oath to be taken both by Catholics and Protestants. The oath which he proposed in that bill was intended, with slight alterations, to be taken respectively by Protestants and Catholics; and such an oath rendered that of 1791 unnecessary. In the bill which he introduced in 1825, and which passed the House of Commons, the oath of the 13th and 14th of the king was again resorted to. In the year 1825 there was no such conspiracy of Catholics as that represented by the noble lords to have existed in 1793. Indeed there was not the shadow of a conspiracy ever suspected by any one, until those noble lords went so far back as 1778, endeavoured to rake up the ashes of fifty years past, and thought it fit and proper to cast imputations on the loyalty of the Roman Catholics, who, he would take the liberty to say, were as little open to such an imputation, and had evinced as strong and unimpeached loyalty, as those noble lords themselves. They had evinced their loyalty by deeds, by oaths, and by the continued probity of their entire character. Surely the noble lord would not descend to the level of the vulgar and ignorant crowd, and join them in asserting, that the Catholics were not to be trusted on their oaths? If the noble lord would join in such a vulgar and unfounded prejudice against the Catholics, and would then require them to swear to abide by a Protestant sovereign, the noble lord would, in that case, be obliged to say, that they had sworn falsely; and where

then was the utility of the noble lord's precautions?—He had no objection to the production of the returns moved for by the noble and learned lord; but if the noble and learned lord, from the scantiness of those returns, should attempt to draw an argument against the Roman Catholics, he would tell him that he was much mistaken. The argument would be the same against Protestants as against Roman Catholics. The oath prescribed would not, in any instance, be taken by a Roman Catholic, except for the purpose of obtaining some office, or getting rid of some penalty under the act.—With regard to the Roman Catholic priesthood, it would be found that, in every instance, they had taken the oath prescribed by the act of 1793. Their object in doing so was to remove the penalty of prebend, to which they otherwise would be liable. So when an office, situation, or livelihood, was to be obtained by a Roman Catholic layman, for which the taking of this oath was one of the qualifications, it would be found that, in every such instance, it had been taken.—With respect to the Roman Catholic clergy in the College of Maynooth—upon which college heavy and unfounded slanders had been thrown out, which he would take another occasion to refute and expose—not one of them had been three months in that college without being obliged by the superior, to take this oath. In order to show that oaths of this nature had been only taken where a necessity for taking them as a qualification arose, he would move, as an amendment on the motion of the noble lord, for a return of the number of Protestants of the established Church of Great Britain and Protestant Dissenters who had taken the Oaths of Allegiance, Abjuration, and Supremacy. It would then appear, that Protestants as well as Catholics only took those oaths prescribed by law when they found them necessary as a qualification for some office or employment. Under the 1st of George 1st. c. 13, the Protestants of Great-Britain were obliged to take the Oaths of Supremacy and Abjuration; and this act was extended to Ireland by the 6th of George 3rd, c. 55 (confirmed by the 21st of the same reign), which rendered it obligatory on the Protestants and Protestant Dissenters of that country to take Oaths of Abjuration. Now, in order to show that those men, of undoubted loyalty to the House of Brunswick, the Protestants and Protestant

Dissenters, only took those oaths when—like the Catholics, with regard to the oaths of the acts of 1791 and 1793—they had a particular purpose for so doing, he would move, that, in addition to the returns called for by the noble and learned lord, returns should also be made of the number of Protestants and Protestant Dissenters who had neglected to take oaths, enjoined by the 1st of George 1st. and by the 6th and 21st of George 3rd., in Great-Britain and Ireland, since 1813, the period of the noble and learned lord's motion.

The Earl of *Eldon* said, he had no hesitation in seconding the noble and learned lord's motion. He begged leave to disclaim any intention of imputing unfair conduct to the Roman Catholics. All that he meant to argue for was, the necessity of having every security intended to be demanded from the Catholics as effectual as possible. The noble and learned lord had much mistaken him, if he conceived that it was his design to impute to the Catholics, or to any portion of his Irish brethren, a wish to evade the oaths of 1791 and 1793, for the absurd purpose of restoring the Stuart dynasty. By no means. All he said was, that those oaths had not been taken by the Catholics, and were not therefore *per se* the securities they were originally intended to be. He agreed with the noble and learned lord, that no conspiracy could be more utterly foolish than one founded upon a possible failure of issue in the Brunswick line; which he trusted in God would ever occupy the throne of these realms. He would tell the noble and learned lord what he meant when he alluded to that point. What he meant was, that though circumstances had rendered such a ground of conspiracy absurd, the possible failure of the present line had been over and over contemplated in argument by Catholic writers and advocates. Did their lordships recollect what had passed in 1791, on the passing of the act respecting the English Catholics? Why, the Catholic bishop Milner stated, in the lobby of the other House, while the bill was in progress, that he knew many of the English Roman Catholics would not take the oaths enjoined by that bill. It was therefore considered foolish for the government to extend an act to Ireland, with the conditions of which the English Catholics would not comply. With respect to what he had

said of the self-dissolution of the Catholic Association, he begged leave to explain that what he meant was, that that body should not have been permitted to dissolve themselves,—that it should have been put down by the strong arm of the law. And here he must say, with regard to what had fallen from the noble and learned lord on the woolsack, respecting his design in his present proceeding, that he would not call that noble and learned lord, nor any other noble lord who would insinuate that he had an insidious purpose in the course he was pursuing, his friend; no, not to be lord Chancellor of England. The noble and learned lord proceeded to argue, that, if the common-law were not sufficient to put down the Catholic Association, neither, in his mind, was the Suppression Act sufficient, nor any other legal provision with which he was acquainted. Upon this point he had long since expressed his opinion. He had more than once stated in that House, that he was satisfied, either that the proceedings which were reported to have taken place in the Catholic Association did not, could not, possibly take place, or that the law of Ireland was not similar to the law of England respecting such proceedings, or that the noble and learned lord, and the other members of the Irish government, could not procure sufficient legal evidence of these proceedings, or that the common-law of the land had not been applied to these proceedings, for reasons which the noble and learned lord and his colleagues only knew, but for which, however, he meant to attach no blame to them nor to any body else. All he meant was, that there must have existed reasons for not applying the common-law to suppress the Catholic Association, which he had not yet heard. The case was very different with the law-officers of the Crown in this country in 1795, when the common-law of the land was applied to put down the convention at York with due effect. He did not, he repeated, mean, in saying this, to throw blame on the law officers of Ireland; but he would say, that if the common-law did not apply to the Catholic Association, either its seditious proceedings had been misrepresented, or no act of parliament could suppress it. But he contended, that the common-law could be applied to the acts of individuals, and through that means to the body itself. With respect to the act of 1793, he stated on his veracity, that it

was understood in England, from the declarations of Dr. Milner and others on the passing of the act of 1791, that that act would not be attended to by the Catholics of Ireland; and for that reason the latter act was not proposed to be at once extended to that country. But, in stating this, he begged the noble and learned lord to be assured, that he had no intention of imputing any disloyal design to the Roman Catholics of either country. The noble and learned lord had mistaken his meaning, if he conceived that he meant to insinuate that the Catholics intended to sanction any foolish conspiracy in favour of another dynasty, by neglecting to take the oaths enjoined by the acts of 1791 and 1793. On the contrary, he had taken care to protect the Catholics against the hazard of such a suspicion. Indeed, if he had not so pledged himself, he would have remained altogether silent. He would not answer what had fallen from the noble and learned lord on the woolsack. If that noble and learned lord said, that his (lord Eldon's) honest opinions were uttered with an insidious design, his character—known to his country for more than fifty years—was, he felt, more than sufficient to repel so unfounded an insinuation.

The Duke of *Wellington* said, he would suggest to the noble and learned lords to withdraw their respective motions, for the result of granting them could only be to show, that a large number of individuals had not performed a duty which they were called upon to perform by the acts of 1791 and 1793, the natural consequences of which must be to render necessary an act, indemnifying such persons from the penalties incurred by such omissions. The best course would, he conceived, be, to avoid such a dilemma; but, if such returns as those moved for were to be produced, an act of Indemnity ought to be introduced before the exposure was made. It was plain, that particular conditions were enjoined for particular benefits; particular oaths for particular purposes; which oaths or conditions, persons to whom they might apply, might not feel themselves called upon to perform, unless upon particular occasions. It would be needless severity to insist upon oaths, which were conceived to be a particular condition for a particular benefit, being taken by those who did not partake of that benefit—at all events, to make an

unnecessary exposure of those persons. He therefore would suggest the expediency of both the noble and learned lords withdrawing their motions, and uniting their aid in bringing forward a bill of Indemnity for those who had neglected to perform the obligation enjoined by the statutes they had quoted. This appeared to him a better mode of proceeding, than exposing the names of a great number of respectable persons, most of whom were, he was convinced, unconscious of their negligence. His noble and learned friend felt irritated with his noble and learned friend on the woolsack, for having applied to him the term "insidious." He must beg to remind his noble friend and the House, that from the commencement of the session, he had earnestly and frequently suggested to their lordships the propriety of avoiding all premature *ex parte* discussion of a subject that would in a short time, be substantively and formally brought under their consideration. He was aware of the inconvenience of such a mode of proceeding, and therefore deprecated it, but without avail; for their lordships must all recollect the variety of assertions that have been, night after night, uttered by noble lords, of the intentions of the government respecting the Catholic claims—that ministers intended to introduce popery—that they intended to introduce a system of arbitrary power—that they intended to break in upon the constitution—to compel his majesty to violate his Coronation Oath, and overthrow the established religion of the state. Such insinuations, which ought rather to be called assertions, had been repeated night after night in that House and elsewhere. He said, they ought rather to be called assertions; but whether insinuations or assertions, they ought, in common fairness, to be refrained from, until the measure that called them forth was properly before the House. A great many advantages would follow from this course. He therefore would repeat his conviction, that until the question was fairly under consideration, all insinuations and assertions might as well be laid aside.—He wished to say one word in relation to what had fallen from his noble and learned friend respecting the Catholic Association. It was perfectly true, that no steps had been taken towards suppressing that body by the common-law. But he begged his noble and learned friend to recollect the circum-

stances that had taken place when the subject was under both their considerations a few years ago. His noble friend must recollect, that the first paragraph of the able despatch which called for the opinion of the government, of which his noble and learned friend was then a member, stated distinctly, that there was nothing in the form, in the institution, or in the proceedings of the Catholic Association, that admitted of interference from the common-law. From that opinion his noble friend did not dissent. On the contrary, he begged his noble friend to recollect, that he was a party to the measure which was passed in 1825 to put down the Association. Now, if his noble friend thought that the common-law was sufficient, why did he not then say so? Why did he not dissent from the paragraph to which he alluded—in which it was stated, that the common-law was not sufficient to put down the Association—instead of becoming a party to the measure of 1825? Not even that measure, nor the common-law, could legally suppress that body; so that it was found necessary, that very session, to arm the Lord-lieutenant of Ireland with extraordinary power, to enforce the intention of the act of 1825. It was true, as a right rev. prelate had stated, that there did exist a power by which the Association might have been suppressed; but that was a military power; and he asked that right rev. prelate, and his noble friend, whether a military power was a legal means for any government in this country to employ, to enforce the statutes of parliament? He was sure that was not the power which his noble friend meant to call to the aid of the common-law; and he was sure that his noble friend would not have recourse to extraordinary expedients when, as he himself maintained, ordinary means were sufficient.

The Earl of *Eldon* said, he was ready to withdraw his motion, provided he might be allowed to argue this question on the assumption, that the returns for which he had moved had been laid before the House. The observations of the noble duke should not tempt him to state what had further passed in his majesty's councils; but this he would say, that he never entertained a doubt that the bill of 1825 would be ineffectual without the aid of the common-law; and he would appeal to the memory of the noble duke, whether he did not, over and over again, express a wish, at

the time the bill of 1825 was proposed, that the common-law should first be tried; and whether he did not give it as his opinion, that by that common-law the Association might be destroyed, or rather by its effects upon individual members? This subject was of consequence to him; because with him it was a point of professional honour. He had not proposed to prosecute certain individuals connected with that Association, with reference to an attack upon an illustrious individual now deceased, only because, as similar proceedings had been so often overlooked, he did not wish to disturb the latter moments of that illustrious individual by risking the failure of a prosecution.

The motions were withdrawn.

HOUSE OF COMMONS.

Friday, March 13.

ROMAN CATHOLIC CLAIMS—PETITIONS FOR AND AGAINST.] Mr. *W. Smith* presented petitions from several Unitarian and Dissenting Congregations in Norwich, and other places, in favour of Catholic Emancipation. The hon. member observed, that it could not be said that these petitions proceeded from interested motives. The petitioners had themselves experienced a relief from the disabilities under which they once laboured, and they prayed that their Catholic fellow-subjects might share equally the benefits of the constitution. The hon. member then proceeded to point out the absurdity of those who entertained fears for the safety of the constitution or the established church, from the admission of Roman Catholics to equal eligibility. Alluding to the means which had been used to work on the minds of the people, he called the attention of the House to a publication, in which he had seen with astonishment and indignation these words—“A great body of our degraded senators,” alluding, no doubt, to the majority who had voted in that House, “are prepared to sacrifice, at the shrine of treason and rebellion, that constitution which our forefathers had shed their blood to obtain.” He did not mention this with the view of calling down any punishment on those by whom such a vile calumny was uttered; for no doubt the venders of these things acted with a desire to profit; but be their authors who they might, they showed the *animus* by which they were actuated. He

had no wish that the publishers of such libels should be raised from their present insignificance by any prosecution: he only stated the fact, to show how the ignorance of the multitude was worked upon.

Mr. *Brownlow* said, he had a petition to present, for a similar object, from a large portion of the liberal and educated Protestant inhabitants of the city of Bath. It was not the intention of those inhabitants to present any petition to the House on this subject, but finding that great exertions were made to delude their fellow-citizens, they felt it their duty to come to the House, and to pray that it would go forward with the measure which had been graciously recommended from the throne, and grant their Catholic fellow-subjects that relief which they firmly believed would consolidate the strength and resources of the empire. The petitioners stated, that it having been said, that the county of Somerset was to a man opposed to the principle of concession, they felt it their duty to declare that such an assertion was without foundation. The petition was signed by nine clergymen of the established church, by all the dissenting ministers, by four members of the corporation, by forty officers of the army and navy, by five of the trustees of the literary institution, by all the committee of that body who were in town, by two hundred householders living on their own property, and by one hundred persons engaged in trade in the city, making in all nearly four hundred persons. He had shown the petition to his hon. friend, the member for Somersetshire, who assured him, that many of the parties had heretofore signed petitions against concession, but had changed their minds, and taken the same view of it which the hon. baronet had had the manliness to avow.

Sir *T. Lethbridge* said, he was glad that the petition had been confided to his hon. friend, for it could not have been placed in better hands. He had stated, on a former evening, that a great change had taken place in the opinions of many persons in Somersetshire on this question, and the petition was a proof of it. A great alteration had taken place in men's minds on the subject since the recommendation from the throne; and he had no doubt that the time was fast approaching, when those of his constituents, who were now opposed to concession, would admit that the measures before the House

were necessary to secure the peace and prosperity of the country.

Mr. Moore said, he had several petitions to present against Catholic emancipation. The first was from the lord-mayor, aldermen, and corporation of the city of Dublin. He could not present this petition without mentioning that this corporation had been long distinguished for its loyalty, and that its suggestions were on that account, worthy of peculiar consideration. The petitioners stated their alarm at the measures introduced by ministers, to destroy the Protestant institutions in church and state, and to shake the foundation on which the title of the House of Brunswick rested to the throne of these realms. They likewise stated that they were not actuated by, and did not participate in, the feeling of fear and intimidation to which they ascribed the origin and progress of these measures, feeling that there was in the native energy of the Protestants of Ireland sufficient power and influence, not only to check, but to control and repress all the efforts of the disaffected. They represented, that when ministers professed that it was necessary to reform the constitution in order to meet the evils now existing in Ireland, they did not try any new experiment. They stated their conviction that other remedies might have been applied to the disease, and that those now proposed to be applied would only create a further aggravation of it. They expressed their alarm at seeing the measure proposed by government. The other petition came from the warden and Corporation of the guild of merchants in Dublin. It prayed not only that no further concessions should be made to the Roman Catholics, but that the elective franchise should be so regulated as not to throw political influence into the hands of their priests; it likewise prayed that the House would put down the Jesuits, and every other monastic establishment in the British empire.

Mr. Doherty said, he would take that opportunity of making a few observations on the degree of weight which ought to be attached to the petitions which had just been presented in such numbers by his hon. and learned friend. He would also announce to the House other petitions, which were in the course of being presented to it, with a contrary prayer on the same subject, and would thus place it in a condition to decide to which of the petitions

the greatest weight was due. As a citizen of Dublin, it was not for him to question the loyalty of the lord-mayor and corporation of that city. Ever since the time of James 1st they had been considered a most loyal corporation. He trusted that they would continue unshaken in their loyalty; and that their good sense would lead them to acquiesce in whatever measures parliament should sanction; and if it did, he had no doubt but that he should hear his hon. and learned friend, in the next session describe the joy with which they hailed the beneficial effects of the measures which they now considered as dangerous and destructive. When he heard his hon. and learned friend tell the House, that he was presenting a petition from the corporation of Dublin, and that the lord-mayor of that loyal corporation was not intimidated by the existing state of things in Ireland, he was reminded of another lord-mayor, who being out a hunting, and starting a hare, exclaimed, "I'm not afraid." "What cause, I would ask," said the hon. member, "is there for the lord-mayor of Dublin, to be afraid? What are we going to do? We are going to place on a satisfactory basis the peace of the city of Dublin, and along with the peace of the city of Dublin, the peace of the whole empire." He had heard much of late of the general right of the people to petition, but why he had heard so much of it of late he could scarcely tell; for he had never heard the right questioned. He had likewise heard much of the respect which ought to be paid to the petitions of individuals. He acquiesced sincerely in that doctrine; but if those who propounded it meant that equal respect was to be attached to all petitions, and that we were not to consider the different bodies from which they came, he begged to dissent entirely from them. We should not treat petitions with greater respect than that with which we treated one another; and it was well known that, though we were all equal in that House, we gave to the opinions of the same men different weight upon different subjects. In like manner, whoever wished to give due weight to the petitions of the people, would refer to the means and ability of the petitioners to obtain information, and to the honesty and integrity of the motives by which they were influenced. What, then became of the petitions of the saddlers and bricklayers, and plasterers, and

barbers, which his hon. and learned friend had brought forward, he would not say with pomp, but with abundance of theatrical dexterity? What did they prove? They proved the existence of the disordered state of society which the House was so anxious to cure; they proved that passion and prejudice abounded among those from whom they came; and, sorry was he to say, that passion and prejudice abounded on this subject, not only in Ireland but also in this country to a great extent. He guessed that this was the case in England from the number of petitions which had been presented against concession, and from the rapidity with which gentlemen declared that those petitions acquired signatures. It was only the other night that an hon. member, in presenting a petition from his constituents, had declared that they were so eager to show their aversion to the contemplated measures of government, that they had affixed to it thirty signatures in the course of a minute; in short, that they had been sailing at the rate of nine knots an hour, till they reached the end of their parchment. Did not that circumstance prove that a great excitement was abroad, and that the more rapidly our measures proceeded to allay it, the greater service we should confer upon the country? He imputed no improper motives to the petitioners. He had no doubt that they entertained their prejudices conscientiously; but he had as little doubt that they were only the echo of feelings existing in that House. He honoured and respected the manner in which the petitioners put forward their views; but he could not help observing, that he had heard but little of the arguments by which they supported them. Even his hon. and learned friend, the member for Dublin, with all his ingenuity, had not favoured them with any thing in the shape of argument. Night after night had his hon. and learned friend dinned into their ears the year 1688: it was his everlasting cry. He had left the House for a short time one evening, and the last words he had heard on the lips of his hon. and learned friend were "1688." He came back, expecting to find that at the end of that time his hon. and learned friend had got at least a century in advance. But no, he had not stirred from his darling "1688." It still sounded on his tongue; the year "1688" formed the beginning, middle, and end of

every speech of his hon. and learned friend. He had heard the hon. member for Gloucester proceed in a similar strain: he had seen him describe a petition with a spirit of gravity which circumstances rendered perfectly ludicrous. "This petition," said the hon. member, "is entitled to peculiar respect—it is not liable to any objection—it has not been signed by any women—it has not been hawked about from house to house—it has not been signed by any youth under eighteen,"—nor, he ought to have added, by any old woman of eighty; for then the petition would have been quite perfect. But, he would ask, were all youths above eighteen years of age qualified to give an opinion upon this irritating, perplexing, and complicated question? If the difficulties of this question were such as had been represented growing out of the construction of acts of parliament, did his hon. and learned friend mean to contend that the plasterers, and bricklayers, and barbers of Dublin, or even the lord-mayor of Dublin himself, were persons properly qualified to understand them? But his hon. and learned friend objected to these measures, because they were, he said, an infraction of the Protestant settlement in church and state, obtained by the Revolution of 1688, and he backed his opinion upon this point with the authority, the learned authority, of the lord-mayor of Dublin. He had told his hon. and learned friend, that he had listened with great attention, not only to his arguments on that point, but to those of all the hon. members who had debated this question. He had heard many of them, and such of them as he had not heard he had read with great care; and the calm conclusion at which, after all his study, he had arrived was, that the settlement of this question on the terms now proposed, was no infraction of the constitution as settled in his hon. and learned friend's favourite year of 1688. He did not set an overweening value upon his own opinion: coming from him individually, it might have little or no weight; but it was good for this, that it was backed by all the great constitutional characters who had sat for the last five-and-twenty years in that House. He did not wish to speak harshly of his hon. and learned friend; he felt for him a respect which his hon. and learned friend well knew was not likely to be diminished by any difference of opinion which might exist be-

tween them on this question. He really believed that that difference arose from this circumstance—that his hon. and learned friend would never allow his excellent understanding calmly to deliberate on this question. Circumstances had given to his hon. and learned friend's mind a bias which he could not control; and he had no doubt that his hon. and learned friend would soon inform them that this was a question on which he entertained no doubt—on which he felt no difficulty. It was because he had never entertained doubt, and never felt difficulty, that his hon. and learned friend had taken his station among the friends of exclusion. If he had ever entertained doubts—if he had ever felt difficulties—he would have inquired deeply into the subject, and instead of backing himself on points of law, by the opinions of plasterers, bricklayers, and barbers, he would have ranked himself with those able and enlightened persons whose petition it would be his duty to present soon to the House. It appeared from his hon. and learned friend's speech, that the great difficulty in the way of the proposed adjustment of the Catholic claims, arose out of the suggestion of the plasterers and barbers of Dublin—that by agreeing to it we were infringing on the Protestant constitution, as settled in the year 1688. Now if it were suggested to any gentleman who was going to make a change in the settlement of his estate, that such a settlement was a violation of the laws, would that gentleman go to the lord-mayor of Dublin, or to the population in the dock-yards, or to the farmers and graziers of Sussex, and consult them as to the correctness of the suggestion? If he were perplexed with the doubts suggested to him, he would soon discover that there were none to whom he could so well apply for a solution of them, as those who had looked into the law, and were, from their habits, well acquainted with all its intricacies. By parity of reasoning, he thought that the doubts of any reasonable man, as to whether this adjustment was in opposition to the principles of the Revolution of 1688, might be satisfied by the reflection, that three hundred and twenty-seven members of the English bar, who were accustomed to consider the meaning of acts of parliament, and who were without any influence to warp their judgment, had petitioned the House in favour of it. They were of opinion, that it would not make any in-

fringement on the constitution; and, in their opinion, a large proportion of the barristers of Ireland concurred. He now gave notice, that he should have the honour of presenting, on Monday next, a petition in favour of Catholic emancipation, signed by a hundred Protestant members of the Irish bar. He should also have the honour of presenting a petition, with the same prayer, from sixty-seven Roman Catholic barristers of Ireland. He might be asked, why he had not mentioned this sooner? Because the Roman Catholic barristers had a direct interest in the adjustment of the question. The Protestant barristers, were they to measure their own monopoly, had also a direct interest the other way; and yet, to their eternal credit be it spoken, they had come forward, and a hundred of them had signed a petition, praying parliament to make a final and conciliatory adjustment of this question. Did these three petitions give no support to the opinions of those who said, that in point of law, what we now meditated to do for Ireland was no infringement of our Protestant constitution? It appeared to him, that the petition which he had to present was extremely valuable in another respect. He did not wish to disparage the petitions which his hon. and learned friend had presented; yet he must say, that, looking at the petitions of the barristers of Ireland and their one hundred and sixty-seven signatures, they were entitled to at least as much respect as the petitions of the lord-mayor and corporation of Dublin, and of the plasterers, bricklayers, and barbers, who followed in their train. They were well acquainted with the state of society in Ireland. They were taught by their practical experience in the courts, and on the circuits, that the social relations of that country were in a disorganized condition. They saw that a state of things prevailed which could not long continue, and that if Ireland was to be governed by British laws, and by the intervention of a jury, some alteration must be made in the irritated feelings of its inhabitants. He was ashamed to have trespassed so long upon the indulgence of the House, but when he saw that his hon. and learned friend was seeking to produce an effect upon the House, by the pompous enumeration of the different guilds from which his petitions came, he did think it right to announce to those who were anxious to come

to a just conclusion on this subject, the respectable petitions which he was going to present on the other side of the question.

Mr. *Trant* denied the justness of the insinuation which his hon. and learned friend appeared anxious to propagate; namely, that there was scarcely any persons but bricklayers, plasterers, and barbers, opposed to the present measures of government. And now, as to the members of the Irish bar. If he had not been misinformed, the greater part of the gentlemen who were most eminent at that bar were opposed to the measures now proposed. His hon. and learned friend's colleague in office, the Attorney-general for Ireland, was opposed to it. So, too, were Mr. *Saurin*, and a long list of gentlemen, whose names he held in his hand. The Irish bar, he had been given to understand, comprised from five hundred to six hundred members. His hon. and learned friend said, that his petition was signed by a hundred Protestant and sixty-seven Catholic barristers. He mentioned this, because his hon. and learned friend had dwelt, with great emphasis, on the number of names subscribed to his petition, and had left the House to guess how many there might be on the other side.

Mr. *Moore* said, he did not intend to follow his hon. and learned friend through the various points of his long and entertaining speech. His hon. and learned friend had made, however, one or two observations to which he must be permitted to give an answer. His hon. and learned friend, after making a very extraordinary disparagement of the judgment and information of the humbler classes of his fellow-countrymen, had included within his sarcasms all the different trades from which he had that night had the honour of presenting petitions. The amusing manner in which his hon. and learned friend had alluded to them, had excited the merriment of the House. For his own part, he loved a joke, but by some strange accident he could not enjoy it at the expense of his constituents. In spite of the sneers which had been directed against him, he would say, that among the individuals whose petitions he had presented, were to be found some of the most intelligent, independent, and best-informed men, on every practical subject connected with the state of society in Ireland; and though his hon. and learned friend had

thought right to turn into derision the members of the municipal institutions of his native city, by covering them with every species of ridicule, he would venture to tell him, that the humblest individuals in those guilds had feelings, wishes, rights, and privileges, to be consulted, which were as dear to them as the feelings, wishes, rights, and privileges of the highest classes of society. Though the humblest individuals might not be able to form opinions as to the result of political measures, still they felt an interest in those measures, which no wise statesman ought to overlook. Their religion, their privileges as Protestant citizens, their rights as British subjects, were as dear to them as they were to the most respectable of the gentlemen that heard him. They had a right to be heard on all matters of national importance, and their sentiments were entitled to the respectful consideration of the House. Let him tell his hon. and learned friend, that the world, since the French Revolution, had furnished too many examples that brilliancy of talent was not exclusively connected with eminence of rank. Let him tell his hon. and learned friend, that though the judgment of the poorest man in the state might not be a title for him to guide the conduct of parliament, still it ought to be taken into consideration. Any man, however unbrilliant he might be, might produce a useful suggestion; and there was not a subject of this realm whose feelings, and wishes, and prejudices, ought not to be treated with respect in parliament. In mentioning that respect ought to be paid to the prejudices of the people, he would refer to an authority which he was sure his hon. and learned friend would admit as excellent: he meant, the authority of the late Mr. *Canning*, who, in reference to this subject, and to the general feelings of the Protestants of the empire in the year 1827, declared, that there was an inert mass of opposition to these claims in the country, which he would not venture upon the responsibility of moving. His hon. and learned friend had told the House, that if he (Mr. *Moore*) had ever applied his understanding to the consideration of this question, he would have come to a contrary conclusion. His hon. and learned friend had alluded to peculiar circumstances—what they were he could not imagine—which, he said, had given a bias to his mind, and led to his present

course of public action. If his hon. and learned friend meant to insinuate, that he had adopted certain political opinions, in order to get returned for the city which he had the honour to represent in parliament, his hon. and learned friend imputed to him that for which there was no foundation. His hon. and learned friend, he was sure, would not impute to him that he had ever changed his political opinions; for, so long as he had been able to entertain explicit opinions on any subject, his opinions on this question had always been of the same character. Ever since he had been able to think on political subjects, he had come to the conclusion on which he had recently acted. Through all his collegiate life, through all his academical career, even then, when from the influence of youth and the presence of classical associations, the flame of liberty burnt brightest—even then he had always tempered its heat with a mixture of loyalty, avowing, that true liberty could only be maintained in this country by a strict adherence to the Protestant principles of the British constitution.

Mr. *Doherty*:—I have been particularly unfortunate if I have said any thing which could be fairly considered to reflect upon my hon. and learned friend. I am convinced, that my hon. and learned friend did not adopt his present principles to secure to himself the representation of the city of Dublin. I did not make any such charge against him. What I said was this—that just in proportion as his pledges on this question had been given positively and strongly, were his opinions likely to remain unchanged and unchangeable. All that I insinuated was, that whilst others had allowed their opinions to change with the change of circumstances, my hon. and learned friend had remained unchanged, because he would never allow his reason to have fair play upon this question.

Mr. *H. Grattan* bore testimony to the respectability of many of the signatures attached to the petitions presented by his hon. and learned colleague. He wished them, however, a total change of opinion, as it would not only do them great credit, but tend to conciliate the peace of the country. His hon. colleague had certainly gained his seat in that House by the use of two magic words—"Protestant ascendancy." He had addressed every guild of the corporation of Dublin with those words, and in every guild they ensured him

applause and success. By such means, after four days' labour, he achieved that which had cost him (Mr. H. Grattan, six years' labour to obtain.

Mr. *Moore* said, that the petition he had next to present was signed by upwards of four thousand persons, who had not merely subscribed their names, but added their addresses. It included as large a mass of respectability and wealth as was perhaps to be found in any equal number of signatures. It was subscribed by the main body of the Magistrates of Dublin, by a great portion of the higher class of society in that capital, by a considerable number of freemen and freeholders, besides between four and five hundred students of the University. The addition of these names testified that the rising youth of Ireland were as much opposed to further concession as those of more mature years. It might be said to speak the general sense of the youth of Ireland; for though residing in Dublin, they were connected with families all over the country—and, when it was found, that to a petition of this kind were attached so many names of students of the University, the fair inference was, that the opinion of the youth of Ireland was in accordance with their sentiments.

Mr. *North* said, he should not have uttered one word respecting this petition, were it not for the observations with which his hon. and learned friend had thought proper to accompany its presentation. The hon. and learned gentleman had described this petition as conveying the sense of the rising youth of Ireland, and particularly of those of the University of Dublin, as well as of the heads of society in the Irish metropolis. It had so happened from opportunities which he enjoyed and of which it was unnecessary for him further to speak, that he had the means of knowing what was the opinion of the rising youth of Ireland upon this great question. And accordingly, from his experience and best information, he could truly affirm, that their opinion now, and indeed for the last twenty years, was favourable to the adjustment of a question which they felt to involve the peace and tranquillity of their country. Indeed it would have been hard upon the youth of Ireland were the fact otherwise, for it was the attribute of those early times of life to be frank and ingenuous, and, when unbiassed by undue impressions to be always

favourable to principles of freedom. He knew, indeed, and probably it was equally familiar to his hon. and learned friend, that men might be found who would consider the University as a fit and appropriate place to infuse into youthful minds very different sentiments—who would betray the sacred trust reposed in them, and instead of conducting the path of youth to purity of feeling, and generosity and liberality of conduct, would take the opportunity of infusing into the tender mind the deadly virus of party strife, and at a time too, when the understanding was not matured, and the judgment not clearly directed for the consideration of a subject which involved many difficulties in its various aspects. If such attempts were made in that University, confident he was, they must have been attended with signal failure. He could speak positively of the rising youth of the Irish bar, among whom he was very happy to say, there only prevailed one sentiment, and it corresponded with that expressed and so often vindicated by his hon. and learned friend (Mr. Doherty), who was so distinguished an ornament of their profession. He could not perhaps speak so fully of the sentiments of another portion of the youth of Ireland, who went forth from the University to the Church of Ireland. But of them, or of the great majority of them, he could safely say, that he had seen them preparing for the study of that sacred profession to which they were destined with principles suitable to their object—he had seen them animated by a pure zeal for their holy religion; but he had always heard them upon this particular question of Catholic exclusion, say, that they considered it not a religious but a political question, and one which they were prepared to leave to the judgment of the government and the legislature. He could not sit in silence, while his hon. and learned friend imputed to the rising youth of Ireland, and more particularly of the University of Dublin, to which he was bound by ties of feeling and affection which must endure through life, sentiments that were alien to their character, and to which he was bound to give the fullest contradiction.

Mr. Moore said, that with regard to his hon. and learned friend's contradiction, he could only repeat that the petition was signed by a considerable portion of the students of the University of Dublin, and

he had the best assurance for believing, that these sentiments were participated by forty-nine out of fifty of the rising youth of Ireland. If there was any disingenuous influence at work to obtain these signatures he could assure his hon. and learned friend that it was entirely unknown to him. He did not believe that any such efforts were made to infuse into the minds of these young men improper sentiments, or that it was necessary to make any efforts to induce their exertions in the maintenance of Protestant principles. He believed, in fact, that the youth of Ireland pressed forward voluntarily to express their opinions, and needed no excitement for that purpose; and though he knew that some of the heads of the University had fully avowed their opinions on this great question, he firmly believed there was not one among them capable of betraying his trust, so far as to avail himself of the influence of his station, to excite illiberal political feeling, or to interfere in the slightest degree with the honest opinions of those over whom he presided.

Mr. Croker said, he had no doubt that the hon. and learned member for Dublin had honestly expressed his private opinion on this subject, and that the students of the University, whose names were signed to the petition, had also expressed their sentiments honestly. It appeared, however, that those persons were undergraduates, young men entered in the first stage of college education. As such he was willing to give this expression of their sentiments all the weight and importance it deserved. He could not allow, however, that it should have the same weight and importance, as if they were persons not pursuing the elements of education; but whose education had been perfected, and whose opinions had been formed upon a knowledge of the laws and of the constitution of the country, and upon the experience of the state of Ireland for the last eight-and-twenty or thirty years. Whatever else the petitioners belonging to the University had, they had not experience. It only amounted to the fact, then, that a few hundreds of the undergraduates of the college signed the petition. The hon. and learned gentleman had said, that forty-nine out of fifty of the undergraduates were unfavourable to concession; but, if this was the case, why had they not come forward? Not one-

sixth part of the under-graduates belonging to the college appeared to have signed this petition. If the hon. gentleman was right in his statement as to the opinion of the students, why did he come forward with a petition signed only by one-sixth part of the under-graduates? Considering that no petition had come from the heads of the University, with all respect he thought it was not the wisest thing these young gentlemen could do, to put their names to this petition, nor was it the wisest thing on the part of their instigators. He conceived that a petition presented under such circumstances would not have much weight with the House. The University of Dublin was the eldest daughter of the Reformation. She had set an example of moderation and liberality, by admitting other sects to have the benefit of education within her walls; and she alone had a right to the proud title of being the child of the Reformation. On the present occasion, however, the University of Dublin had taken no part on this question; and she was right in so doing. A great mass of Protestant youth, and a great mass of Catholic youth, were educated within the walls of the University; and the University, therefore, did right to abstain from taking any part for or against; unless, indeed, a very strong dislike existed, which he had no hesitation in saying did not exist. The University had, therefore, abstained from petitioning; and by so doing it spoke with a voice louder than that of tongues. When the University was silent at this crisis, at this acme of excitement, he was entitled to say that it was friendly to toleration. At all events, it was not too much to say, that the members were willing to place their confidence in the wisdom of parliament, and were aware of the mischief of introducing the seeds of political hatred into a place devoted to the education of youth. He thought he might go thus far without claiming too much for those opinions which he held on the subject of the Roman Catholic claims. The hon. and learned gentleman and himself were at one time rival candidates for the University of Dublin. With his own very small personal qualities, however, so little likely to incline the members of the University in his favour, Protestant zeal was so very low, or something in opposition to the hon. and learned gentleman's principles operated so strongly, that he, though he

was the avowed advocate of the Catholic claims, was returned in opposition to the hon. and learned member; and if the same case occurred again, and the hon. and learned member sought the representation on his present principles, he would find himself in a very small minority. From what had already occurred, the House might pretty well judge of the disposition of the University of Dublin on this subject.

Mr. *Moore* regretted, that he was again called upon to address the House; but, as his hon. friend had referred to his personal experience in a canvass which took place some years ago, he thought it his duty to say, that the canvass to which the hon. member alluded was conducted under very peculiar circumstances, and that the hon. gentleman had secured very many engagements from those averse to further concessions, before he (Mr. M.) commenced his canvass. In conclusion, he observed, that when an opportunity offered, if the honourable member tried the strength of the principles he advocated in a contest for the University of Dublin, he would find himself greatly disappointed.

Mr. *Croker* said, he was not at all prepared for, but on the contrary, was sorry to find so great a question as this turn upon any allusion to the movements of so humble a person as himself. But he must tell the hon. and learned gentleman, that he flattered himself exceedingly, if he supposed that a Protestant bigot could ever hope to represent the University of Dublin. It was only necessary to refer to the names of those who had represented it, to demonstrate that this kind of intolerance could not find admission there. Take the names during the whole of the time that this Catholic question had been agitated. In 1793, the University was represented by Mr. Browne and Mr. Hutchinson, who were both in favour of the Catholic question; next by Mr. George Knox, the very person who, in the Irish parliament, brought forward a motion to admit Catholics into the legislature. For a short time after, the University was, he knew, represented by Mr. Foster; who had, like other enlightened men, lately changed his previous opinions, which were anti-Catholic. After him came the ablest advocate the Catholics ever had in parliament, lord Plunkett, who had been repeatedly returned for the University. With the single exception,

then, of Mr. Foster, the University of Dublin had, since the year 1793, when these Catholic discussions became urgent, returned representatives who were always favourable to the Catholic claims.

Sir Francis Burdett said, he had two petitions to present to the House, which were well entitled to their particular attention; one was from the Roman Catholics of Ireland, for admission to the privileges of the constitution; and the other came from a quarter, and was attended by circumstances, which he had no doubt would give it due weight with that House. It was signed by eight thousand Protestants in London, who gave their places of residence, and in the progress of its receiving signatures, particular care was taken that each individual signed only his own name, and that no person under age subscribed it. To such a scrupulous delicacy was this precaution as to signatures carried, that he had a note to show that the name of an eminent scientific gentleman, Mr. Holdsworth, of Argyll-street, would not be permitted to be affixed through the agency of another person who had permission to offer it. Under these honourable circumstances had eight thousand names been signed to this petition. It might be said, therefore, to come before the House as a fair sample of the sense of the liberal and thinking portion of the Protestants of the metropolis, who might themselves be taken as a specimen of the sense of the Protestants of England upon this great question. Much had been said of the manner in which certain petitions of an opposite nature had been got up, and the relative degree of attention to which they were entitled. No man was less willing than he was to cast a slur upon any petition, or to throw any impediment or obstacle in the way of its reaching their table. Still, there were circumstances which really forced themselves upon their consideration. When they heard, for instance, that the very worst passions of the people were appealed to, to excite them to no-popery petitions—when fierce animosities, which had been long appeased or forgotten, were attempted to be revived—when obsolete prejudices, and the spirit of gone-by contentions, were vehemently recalled, for the purpose of getting up some of these petitions, it behoved the House to look at the fact, and to draw from it the proper conclusion. It was impossible for them

to overlook such transactions. There were people at that moment to be found scattering through the country the most violent and inflammatory placards, some of them embellished with prints, for the purpose of enlisting those who were unable to read; and, what was the outline of those prints, which were to ensure to the petitions emanating from their agency peculiar consideration from the legislature? In one of them, a Catholic was represented with a cross in one hand, and a brand in the other, ready to light up the dormant flames of persecution. There were friars and popes, in all attitudes and modes of applying combustible matter to Protestants. Every absurdity that the most rancorous mind could invent, was here portrayed, and recourse was had to such base as well as silly means to stimulate the deluded or the unwary into religious conflict. The prints were worthy of the text. In the first place, they proclaimed, that it was the first doctrine of Papists to keep no faith with heretics—that was given as a fundamental article of the Catholic religion; and that all heretics were to be damned like Luther and Calvin. Then came a variety of trash in the shape of interrogatories. The first question was “Who burned the Protestants to death in the year 1519? Who butchered them at the stake in 1520? Who set up the bloody Inquisition? Who massacred two hundred thousand of the Protestant inhabitants of Ireland in the memorable year 1641? Who were the supporters of the Catholic question? Those who had been endeavouring to upset the altar and the throne, during the last thirty years.” A pretty compliment this to the duke of Wellington, and to the right hon. Secretary, to be classed among conspirators against the Throne during the last thirty years! When such stimulants were applied, to induce the bad and the ignorant to take a part in these petitions, how could parliament be expected to pay the least attention to productions emanating from sources so polluted? There was no natural basis upon which such a silly and unsound system could be reared in this country; and what value could any rational man think such efforts to possess? When he heard gentlemen, with more frankness than truth, say “these petitions have faults on both sides—we must not be too inquisitive into their composition,” he felt himself called upon to reply, that there

was no proof of such practices, on the part of those who were favourable to concession; they spoke the sense of the public, fairly and honourably taken. When the right hon. gentleman, in his able speech upon the introduction of his bill, had anticipated the peace and tranquillity which he thought it would produce throughout the country, he could hardly have contemplated so speedy a realization of his benevolent wishes. The people did not wait for the result in order to be satisfied. Not only did the Catholic Association take the earliest opportunity of relieving the friends of conciliation from the embarrassment of their existence in opposition to the law, by dissolving themselves at once upon the faith of the pledge conveyed in his majesty's Speech, and the promise which was given by the king's ministers of the redress of their wrongs, it also had, with a wisdom and generosity which did it the highest credit, declined all agitation and left the country to its own unstimulated agency at such a crisis. A statement had been made to him, that not only had the Catholic Association performed this act of wisdom and justice, but that several of the Brunswick and Orange Clubs had imitated their example, and evinced a disposition to make a voluntary sacrifice of their prejudices, and to join with the Catholics in restoring general harmony and tranquillity. The Catholics, he understood, had every where received these demonstrations of good feeling with open arms; and this was a foretaste of the benefits likely to be derived from the consummation of this great act of national justice. He had heard much said in that House of the conduct of the right hon. Secretary. It would be presumptuous in him to say one word in approbation of the right hon. gentleman, after what had been said of him by other honourable members. But some hon. gentlemen had said, that his character suffered by the change of his opinion. Now, he desired to know in what respect the right hon. gentleman's character suffered. They could not say how. The wish and desire to carry peace and tranquillity to the people of Ireland, and strength and security to all, could not bring injury to his character. If honourable gentlemen would allow themselves calmly to consider the question in all its various bearings, they must see that no reasonable ground of reproach attached to the right hon.

gentleman. He would rather hope that their expressions arose more from momentary irritation than from any deliberate conviction of the right hon. gentleman's political inconsistency; and he had no doubt a little time would convince them of the wisdom of the right hon. gentleman's conduct, and of that of the other promoters of the measure.—He could not avoid referring, for a moment, to the able and manly speech made on the evening of the debate by the right hon. Secretary for the Colonies (sir G. Murray). He might almost say, that since he had had the honour of a seat in that House, he had not heard a more effective speech, or one which was more direct to the purpose. Feeling as he did, with respect to the profession to which that right hon. gentleman belonged, he ventured to say, that there were no men more liberal and enlightened than its members—no persons who could be more properly designated men of the world—in the true meaning of the term—no individuals who better understood the conduct of practical affairs, or who, on the whole, judging from what we saw around us, appeared better calculated (though they did not always receive credit for it in the House) to manage the affairs of the nation. The right hon. and gallant gentleman had read, from the ranks of the army, a lesson to the church. His speech made it necessary to reverse the old adage—“*Cedunt arma togæ.*” The right hon. gentleman's speech was equally creditable to his heart, and to his understanding; it came from the heart of the speaker, and it went home to the heart of the hearer. There was one passage which he could never sufficiently admire. “In the army,” said the gallant officer, “there are no distinctions—no differences on account of religion. It is in civil society only that I have found such differences prevail. In the army, the Catholic and the Protestant soldiers dwell in harmony in the same tent; they march in the same ranks; they mount together the same breach; and the only competition which is known between them is, the competition of emulation to excel in courage, and in fidelity to their country. And if they fall together in the same field, they are laid together in the same grave; leaving behind them the same feelings of regret in the breasts of their surviving comrades; and carrying with them to another world, the same hopes in their

common Redeemer." He would have that passage of the gallant general's speech inscribed, if possible, in letters of gold, to enrich with it the walls of every cottage in England and cabin in Ireland. With respect to the measure recommended by his majesty's government, and the noble duke under whose auspices it was brought forward, both were above praise. When he spoke thus of that illustrious individual, now, he might say, "With surpassing glory crowned," he only joined in common, with the rest of his countrymen, in attributing with one accord to the noble duke the well-earned renown and merit which were undoubtedly his due, for the benefits which his present course must confer upon the State—benefits which every one, in a very short time, would feel and acknowledge. With reference to this subject, he might quote the words of a great writer, Harrington, who said, that there was something in the leading of armies, and the government of states, which was the peculiar business of gentlemen. The administration which the country now possessed was a decided proof of the truth of that observation. The Catholics of England had borne all their burthens and disabilities without reproach; and now that they were to be at last freed from them, if he did not speak what he felt with respect to them, it was because their conduct was above all praise. When they and their Irish brethren were received back within the pale of the British constitution, we should at length have an united empire. The time of the House would not be taken up with the ills of Ireland as it had hitherto been; and there was nothing which we might not anticipate, on this score, in the way of public benefit. He did trust that the settlement of this question would cause the most sanguine anticipations that had been entertained with regard to it to be realized. A Letter had been confided to him on this subject, which was of the most gratifying description. Indeed, until he saw it, he had no conception that the beneficent measure of the king's government could have had so speedy an effect in removing party animosities. The communication was dated from Clonmel, where it appeared that the Quakers had hitherto been decidedly opposed to the Roman Catholics. The Letter stated, that the reconciliation between the most adverse of the Roman Catholics and

Protestants was proceeding with the greatest rapidity. At Clonmel, the writer added, the Quakers had taken a strong political part against the Roman Catholics; but soon after the king's Speech at the opening of the session, and that of the right hon. Secretary were received, several Quakers of respectability, proposed to the leading Catholics, through their secretary, a reconciliation between the opposing parties. This proposition was received with the greatest satisfaction by the Catholics, who requested that there might be no delay in the amicable arrangement, and that the reconciliation should not be postponed for a single day. It was wished that the parties should parade the streets arm-in-arm: every one hailed the reconciliation; and party spirit was suddenly put an end to. Had we not, then, every reason, looking at this speedy and desirable consequence of the measure, to augur the happiest results from its completion. When we saw states undisturbed by domestic jealousies, in which all parties were admitted to the free enjoyment of political rights, without regard to their religious opinions, why might we not be certain of the same effects being produced here by the adoption of similar means? He hoped that gentlemen, who, no doubt, acted from honest prejudice in opposing this measure, would see grounds to mitigate their apprehensions, and at length concur in the belief, that their fears were imaginary, and that the same good consequences might be expected to ensue here, as in other countries, from a wise and liberal policy. In France all religions were not only tolerated; but the professors of them were placed upon an equal footing, as regarded civil privileges; Protestant and Catholic deputies sat in the same Chamber; no distinction was recognized; the peculiar religious persuasion of the parties being scarcely known—certainly not regarded. The consequences of this system of equal privileges in that enlightened country were of the most favourable kind. Was it possible to believe that the same effects would not follow in this country? His sincere and ardent prayer was, that this question might now be finally and satisfactorily settled: and he hoped and trusted never again to be called upon to say another word with regard to it.

Mr. Trant confessed he felt no little surprise at the eloquent eulogium pro-

nounced by the hon. baronet upon the blessings of a military government [Cries of "No."]. If his ears did not very much deceive him, the hon. baronet certainly did, in substance, pronounce an eulogium upon a military government. The hon. baronet declared most distinctly that, in his opinion, a military government was the fittest for this country in its present circumstances: he said he rejoiced to see military men in that House, and the responsible situations in his majesty's government filled by members of that profession, possessing as they did the distinguished chief at the head of the administration. From this he was justified in assuming, that the hon. baronet did approve of a military government, and considered it best for the country. He had heard much of the quarter-master-general, and the staff of the noble duke at the head of the ministry, and he trusted he might be allowed to say he heard them spoken of, as the hon. baronet had alluded so pointedly to the subject of a military government. This, however, he begged to be understood as doing with every possible respect for the gallant person in question. He confessed he very much doubted how far sentiments so flattering to military governments would be acceptable to the people of England, in the assertion of whose rights the hon. baronet had so frequently stood forward. He put it to that hon. baronet, whether that people, whose champion he formerly was proud of being, would not look with jealousy upon any measure introduced by a military government; and he must take the liberty of saying, that if they were told that the bill must pass, because it had support and countenance from a certain high quarter, hon. members opposite departed from their usual practice, in allowing such assertions to pass, without standing forward in support of that great constitutional principle, which repudiated any interference with the proceedings of that House. Those who were pretty well acquainted with the constitution of the country, regarded such interference with the freedom of debate, and the privileges of the legislature, as, to say the least of them, not very decorous. Upon that point he did not think it necessary to say any more, nor should he have said so much, had he not thought it due to the privileges of that House. With respect to the general tenour of the observations which the House had just heard from the hon. baronet, he would leave

them to be answered by other members, attached to the true Protestant principles of the constitution. He could not have been tempted to rise at all, were it not to point out to the House the degree in which the hon. baronet was enamoured of a military government.

Lord *F. L. Gower* said, he could not refrain from offering one word expressive of the satisfaction he felt at the hon. baronet's description of the reception which the measure had met with in Ireland. That reception was of the most gratifying description. It might not have been unreasonably expected, that the measure would have been received in Ireland with the intoxication of victory, or the insolence of triumph. So far, however, was this from being the case, that, from all the information which had reached him in his official capacity, it appeared that the announcement of the measure was received with a calm and reasonable satisfaction, which did equal honour to the Catholics and to that portion of the Protestants who had advocated their claims. The news was received with warm but temperately expressed, though zealous gratitude towards the sovereign, the singular glory of whose reign would, he trusted, be shortly consummated by the accomplishment of this great measure. For himself, he could say, that he hailed the prospect of its completion with feelings of no ordinary satisfaction. If ever he had thought that this great boon might at length come one day too late to effect its useful and beneficial purposes—or if, in his zeal for such a cause, he conceived that the book of the sybil had been burnt once too often, he was now ready to acknowledge his mistake, and admit that his fears were premature. Reference had been made to what was termed a military government. He confessed, for his own part, he did follow the political banners of the noble duke at the head of the ministry with little less confidence than, under other circumstances, he should have followed those military banners, which, under the direction of that illustrious individual, had never yet been unfurled but for victory. There might be difficulties attending the completion of this measure—he did not deny it—but, looking at the whole tenour of the noble duke's life—at the success which had invariably attended him—and he might add, at the greatness and goodness of his present cause—he did not fear for the result. Viewing that dis-

tinguished person's many and splendid achievements—glancing from the plains of Assaye and the lines of Torres Vedras towards those later triumphs that had ennobled his career, one might say, brilliant as those prospects were, never, among all those illustrious achievements, did a prospect expand to his view more teeming with present glory to himself, and future and permanent advantage to his country, than that now opened before him, through the accomplishment of this great measure. The long list of the noble duke's triumphs would be crowned, he sincerely hoped not closed, by the imperishable brilliancy of this laurel, which would, in the comparison, impair the lustre of his preceding victories. His prayer was, that the noble duke might live to see the day, when the watchword of glory, long familiar to our ears—when the names of liberated Spain and subjugated France—would be lost in the shouts of acclamation raised for freed and placid Ireland.

Mr. Alderman *Waithman* observed, that the petition presented by the hon. baronet was signed by eight or nine thousand individuals. He knew nothing of the persons by whom it had been got up. All he knew was, that he had seen the place on Cornhill, where it lay for signature, and he observed that every individual who applied for the purpose of attaching his signature was asked where he lived, and told to put his residence as well as his name to the document. For his part, he disapproved entirely of this mode of getting up petitions, and thought there should be public meetings held for the purpose of ascertaining the opinion of the inhabitants. This petition, however, managed as it had been, afforded a fair indication of the feeling of a great number of respectable and intelligent persons in the metropolis, on the subject of the Catholic question.

Lord *Nugent*, with reference to the subject of a military government, observed, that the hon. baronet, the member for Westminster, had merely said, that there was nothing in the character of a military commander to incapacitate him from looking largely, wisely, and liberally, at matters of state policy. He did not pretend to say that these were the exact words of the hon. baronet, but such he understood to be their sense and meaning. The hon. member for Dover thought he had gained a great advantage upon this point, and that the hon. baronet was advocating a

military government. The fact was, the hon. member confounded the deserved tribute paid by the hon. baronet to the talent and firmness of the noble duke at the head of the cabinet, with an expression of approbation of the principle of a military government on the part of the hon. member for Westminster; than which he was sure nothing could be further from his hon. friend's intention. Could the hon. member for Dover say nothing for the labours of the Convention Parliament which sat in 1688, and was happily the means of introducing into England the great soldier who afterwards conducted our government? Could he see in the exertions of that parliament nothing but an effort to introduce a military government? If the hon. member for Dover could see no distinction between the hon. baronet's just eulogium of the duke of Wellington's administration, and an approval of the principle of a military government, it was not the fault of the hon. baronet, but of the hon. member himself. He rejoiced at the evidence offered by the hon. baronet and the noble lord, the secretary for Ireland, relative to the tranquillizing effect of this great measure, which he sincerely trusted would remove the animosities and heal the wounds of that country. God grant that the friends of this measure might not be deceived as to its expected consequences. He trusted and believed that they would prove right in their anticipations. Sure he was, that the Roman Catholics of Ireland, whose feelings, opinions, and interests, the hon. baronet had so long, so zealously, and so faithfully represented, could not do more wisely than to follow the advice and conform themselves to the example of their tried and eloquent advocate, and receive with gratitude, frankness, and cordiality, this the greatest and most healing measure ever proposed to the legislature since the first day in which the House of Brunswick had been called to the throne of these kingdoms.

Mr. *C. N. Pallmer* said, he wished to make one observation on what had fallen from the hon. baronet. He was as ready as any member to admit, that, in some instances, means had been used to obtain signatures which were not as unexceptionable as might be wished; but he had reason to think that the extent to which that had been effected was infinitely less than what had been represented. By much the greater portion of these petitions; and of

the signatures attached to them, were obtained under circumstances perfectly free from undue influence. It was not for him to draw the line between the intellectual part of the community, who might be supposed capable of forming a sound and intelligent opinion upon the great question, and those who, from insufficient knowledge and limited education, might not; but of this he felt perfectly assured, that, whether right or wrong, a large proportion of the people of England were unfavourably disposed to that change in the political constitution of this country which it was the intention of his majesty's government to effect.

HOUSE OF LORDS.

Monday, March 16.

ROMAN CATHOLIC CLAIMS — PETITIONS FOR AND AGAINST.] The Earl of *Mountcashel* presented two petitions from the Presbyterians in the north of Ireland against Concession to the Catholics. The noble lord said, that if the measure proposed by government were now carried, it would be repealed by a newly-elected House of Commons.

Lord *Kenyon* said, he had sat in that House for nearly twenty-seven years, and those noble lords who had been members for the like period, must be aware, that he had very seldom felt it necessary to obtrude himself upon their lordships' attention. The present time was an occasion, however, when it became every man who was sincerely attached to the religion and the constitution of his country, to come forward and declare his sentiments. A question was about to be brought before their lordships, which acquired additional importance from being recommended in a Speech from the Throne. The question was considered by the great majority of the people of this country as essentially connected with the principles by which the House of Brunswick possessed the throne of these realms. When the measure was first recommended from the Throne, he supposed, in common with most of their lordships, that it would be accompanied with such securities as would prevent a recurrence of the scenes of 1688; but now it was publicly declared, that it was the intention of government to remove all disabilities affecting the Roman Catholics, without any condition whatever.

Whether his majesty had been informed of the shape in which the measure was to be submitted to parliament—

Earl *Grey* rose to order. It was irregular, he said, to allude to the opinion of his majesty, with respect to any measure under discussion in that House.

Lord *Kenyon* said, it was certainly a matter of extreme regret to him to have been guilty of any thing which met with the reprehension of the noble earl, whom he held in high estimation, and the manliness and consistency of whose character did him so much honour, by the contrast they afforded to the conduct of many other noble lords in that House. He would now, with their lordships' permission, proceed with the observations for the purpose of making which he had risen. If the noble duke opposite, and the other members of his majesty's government, had brought forward the question, the consideration of which was recommended in the Speech from the Throne, without stating to his majesty the specific manner in which they intended to propose the question to the deliberation of parliament, he must say, that they had acted in a manner most unfitting their situation; for, on a question of that description, in which the public were so greatly interested, and on which so many persons thought, and, in his opinion, rightly thought, rested the title of his majesty and of the House of Brunswick to the throne of this kingdom, the ministers ought not to have submitted the subject to his majesty's consideration, unless they saw grounds which might constitutionally lead his majesty to suppose that, by consenting to the measure proposed, he was not hurting the right of the successors of the royal house to the throne. It was, however, the opinion of a great number of persons, that the proposed measure was essentially at variance with the Coronation Oath; and he thought that it went directly in contradiction to the spirit of that oath. He would ask of the noble duke, supposing a military commander, in whom he had placed so much confidence as to intrust to him the possession of an important fortified place, should resign to the enemy principal points by which the fortress might be defended—he asked of the noble duke, whether he would think that the spirit of his intention, in consigning the fortress to the care of the officer under him, had been fulfilled? The Coronation Oath ought not

to be narrowly interpreted merely according to its letter. Now, he conceived, that the Coronation Oath would be distinctly and positively violated, in case his majesty should be persuaded to do any thing contrary to the spirit of that oath. He went much further, and would state that of which any one who reflected for a moment must be persuaded, that if all that was proposed, should be granted to the Roman Catholics, it would be impossible for the church of Ireland to stand for many years. He should like to know whether, if the king gave his assent to a measure having the effect he had mentioned, that act would not be a distinct violation, as well in substance as in spirit, of the Coronation Oath? This, then, became matter for their lordships' most serious consideration: and when such, as he had stated, was the opinion of no small proportion of the people of this country, he thought it highly improper that a feeling of that kind should be excited in the breasts of his majesty's loyal subjects. The best security for the possession of the throne, which any king of this country could have, was, he thought, in the confidence and affections of his people. He was, however, very much afraid, indeed he had no doubt, that the confidence and affections of the people would be alienated, if his majesty's ministers succeeded in carrying the measure which had been proposed to parliament. That measure was one of a very serious nature, and ministers were highly responsible for the grounds upon which they had advised its introduction. They had not been influenced by fright: no, but they thought it a much more convenient and pleasant thing to have a united than a disunited cabinet, and to carry things in parliament without much opposition, than to have a strong opposition to their measures. It was, doubtless, a pleasant thing to have no necessity to resort to military force in the sister country. For a time there might be some relaxation of intemperance in that part of the empire; but he felt no doubt whatever, that the Roman Catholics, when they found how completely they had been deceived—when they found that they received nothing from those persons from whom they had been led to expect to receive every thing—would stir up a spirit of dissatisfaction, much more difficult to subdue, than any which might have arisen before the proposed measure

had been submitted to the legislature, because any House of parliament, and any set of men, whom his majesty might take for his advisers, would feel disinclined to agree to any legislative enactment for the purpose of keeping down the expression of disappointment among the Roman Catholics, at the failure of those hopes which had been excited in them by the misconduct of his majesty's present ministers. He was sorry to intrude so long on their lordships' attention, but he felt himself bound to perform what he considered a public duty. He knew that the people of this country felt strongly on this question, and it did appear to him very extraordinary, that the noble duke, if he thought that the general sentiments of the country were favourable to the proposed measure, did not call to mind the way in which the government of this country proceeded at the establishment of the constitution in 1688, and advise his majesty to call for the expression of the sentiments of his subjects in a constitutional manner. It did appear extraordinary to him, that the noble duke did not advise his majesty to follow the glorious example of William 3rd, and to summon a new parliament, specially elected, for the purpose of considering this question.

The Duke of Wellington said, he could assure the noble lord, that if he had been inclined to rest on a bed of roses, he should not have entered on the duties of the office which he now filled. If he had sought for a bed of roses, he should not have embarked in the discussion of a question which was calculated to divide him in opinion from the noble lord, and from others who took the same view of the question as that noble lord. He could, however, assure the House, that he had proceeded, with respect to this question, as he should with respect to all others, upon a clear and distinct sense of what was due to his majesty and to the public. Under those circumstances, he had recommended the measure in question to his majesty, and he was aware that he was responsible to parliament and to the country for the advice he had thus given. The noble lord had come forward and put a sort of question to him; namely, whether or not the measures proposed to parliament had been explained to his majesty? He answered distinctly, yes. Those measures had been explained to his majesty. They had been explained to his majesty,

because he was his majesty's servant at the present moment. For did any man suppose, that if his majesty had not clearly and distinctly understood the nature of those measures, that he would have allowed him to continue his servant for a moment, after he had submitted them to the consideration of parliament? It would be an insult to his majesty to suppose that he would have suffered such conduct in him. He would not now enter into the discussion whether or not the measure proposed to parliament was calculated to effect a breach of the king's Coronation Oath. He stated, however, that he would undertake to prove, when the question came regularly under their lordships' consideration, that those measures did not touch the Coronation Oath. The most zealous advocates on the same side of the question as the noble lord, even the noble and learned earl on the cross bench (Eldon), had never contended, that the king's Coronation Oath would be touched by a measure of such a description as the one proposed. It was very true that there might be measures with respect to this question, which might touch the Coronation Oath; but neither the late lord Liverpool, nor his right hon. friend in the other House of parliament, nor the noble and learned lord on the cross bench, had ever contended, to his knowledge, that the Coronation Oath would be touched by a measure of such a description as that which had been submitted to the other House of parliament. But there was another authority to which, probably, the noble lord would be inclined to pay more attention and respect, than to the authority of those noble lords which he had before cited: he alluded to a noble and respected relative of his (lord Kenyon). He had read the famous letter of that nobleman over and over again, with the utmost attention: he saw not a word in that letter expressing an opinion that the king's Coronation Oath would be affected by such measures as the one proposed. He had gone thus minutely into this question, because every night, notwithstanding a sort of arrangement had been made, that the question should not be considered by their lordships, until it came regularly before them—it was, nevertheless, on every occasion brought up, and insinuations were continually thrown out against his majesty's ministers, and himself in particular, for having vio-

lated their duty in submitting the proposed measure to the consideration of parliament.

Lord Kenyon said, there were two points in the noble duke's statement, respecting which he wished to offer a few observations. In the first place, the noble duke had understood him to ask whether his majesty was acquainted with the provisions of the bill which had been submitted to parliament. That, however, was not the question he had asked. The question was, whether, when the Speech from the Throne, which recommended to parliament the consideration of the Roman Catholic disabilities, was prepared for his majesty's approbation, the provisions of the bill were made known to his majesty.

The Duke of Wellington.—They were [a laugh].

Lord Kenyon said, he could not understand the reason of that laugh. He had asked a very plain question, and the answer to it appeared to have produced laughter. If the answer was so satisfactory to the noble lords, he hoped they would allow that the question was a proper one. With respect to the other point to which he wished to allude, he would take the liberty of saying, that if the noble duke would, with that acuteness of mind for which he was distinguished, read over again the correspondence to which allusion had been made, he would find that it was the opinion of his (lord Kenyon's) ancestor, that those who conceived that a measure which they proposed, though not in itself a distinct violation of the Coronation Oath, would yet in its consequences lead to a violation of that oath, they must believe that the measure would be the same as a distinct and positive violation of the oath.

Earl Grey said, he was unwilling to prolong the present conversation, because he felt strongly with the noble duke the inconvenience resulting from the premature discussion of a question, which would shortly come before their lordships in a regular manner. He felt more particularly the inconvenience, which arose from a practice which noble lords indulged in, of taking that opportunity to throw out assertions, supported by nothing like argument, that the proposed measure for the relief of the Catholics from the disabilities under which they laboured, would be a violation of the king's Coronation Oath. Those assertions could have no good pur-

pose. They could only have the effect of agitating and inflaming men's minds. The proper conduct for persons anxious for the safety of the state, and for the support of those establishments to which they attached value, to pursue, would be to wait for the time when the question would come before their lordships, and then to state their opinion, and support it by arguments. At present, he could only offer assertion in opposition to assertion; but he would uphold his assertion by argument when the question came to be discussed. His proposition was this: the proposed measure was no surrender of the constitution—it was no violation of the constitution established in 1688; still less was it a violation of the Coronation Oath, which could not be said to apply to the measure, in the sense which some noble lords imagined. As far as he remembered, lord Liverpool would have disdained to make the assertion, that this question touched the Coronation Oath. That noble lord distinctly stated, that the Coronation Oath had nothing to do with it; and he must say, that he had read, in the same sense as the noble duke opposite, the letter of the noble lord's illustrious father, and did not conceive that it contained any opinion which could sanction the position, that the proposed measure would operate as a violation of the king's Coronation Oath. He thought, too, that the noble lord's own explanation of the matter closed the case. "Though this measure," the noble lord said, "might be conscientiously believed by his majesty's ministers to operate for the benefit of the public; yet, if his majesty believed that the effect of it would be, to subvert the constitution, could," the noble lord asked, "his majesty, with that belief, give his assent to the measure, without a violation of the Coronation Oath?" That was a subject to which he would not at present address himself, but would confine himself to state his assertion, in opposition to that of the noble lord, that the king's Coronation Oath was totally untouched by the measure submitted to the consideration of the other House of parliament; and that assertion he would engage to make out by argument, when the question came before their lordships. To make that statement was the chief object of his rising, but he could not help availing himself of the present opportunity to deprecate a practice which had of late so much prevailed in their lordships'

House, of introducing his majesty's name into their debates. He believed, that the recommendation from the Throne to parliament to consider the state of any laws, with respect to their effect on the general prosperity of the empire, was a usage as old as the constitution itself. If his majesty's ministers advised his majesty to make such a recommendation, they were responsible as ministers, but not as members of parliament, to their lordships for that advice. That his majesty's ministers in advising his majesty to recommend to the consideration of those laws which had so long disunited the people of this country, and produced evils which could no longer be borne, were responsible for that advice, was true; and it was not to be disputed, that when they gave that advice they must have stated their views of the subject; but beyond that, they could not be called upon for any responsibility. After the recommendation had been declared in the Speech from the Throne, his majesty's ministers, coinciding with that recommendation, had introduced to parliament the measure which had been alluded to. For doing that they were not responsible as ministers, but as members of parliament; and there was nothing more unconstitutional or more inconsistent with the privileges of parliament, than that course which had of late been followed, of discussing in that House what were his majesty's private sentiments, with respect to a measure upon which the Houses of parliament had to decide. He did therefore hope, that he should hear it no more stated, either on the one side that the proposed measure had been introduced against his majesty's consent, or, on the other, that the particular provisions of the bill had his majesty's sanction. All their lordships had to do was, to consider the bill as arising out of the recommendation from the Throne; and when the measure was discussed, no reference beyond that ought to be made to his majesty's name. He was glad to have an opportunity of stating this; and he hoped their lordships would return to the good old constitutional practice of the House on the subject. With respect to what had fallen from the noble lord (Kenyon), he felt most grateful to him for the very civil expression which he had applied to him. He believed that what had fallen from the noble lord had proceeded from a sincere, but most mistaken, zeal, on his part, in

support of the constitution and the Protestant establishment. His zeal in support of that constitution and that establishment took a direction different from that of the noble lord. The noble lord thought that those measures which had been proposed to parliament would be ruinous to the constitution; while he (earl Grey) was of opinion, that without those measures it could not long be supported. He believed that those measures, instead of dividing the people, and of increasing dangers, were the only measures which could heal divisions, and place this country in that state of security and power in which he hoped it would long continue.

The Earl of *Falmouth* rose to say one word on what had fallen from the noble duke with respect to an arrangement which he stated to have been made, not to offer any observations on the general question, upon the occasion of presenting petitions. Now he was not aware of any such arrangement; but, if such an arrangement should be made and be complied with on both sides of the House, he, for one, would be most willing to subscribe to it: but he must say, that for one page, which had been said by noble lords on the cross benches on presenting petitions, a folio volume had been spoken by the noble lords on the opposition benches. The noble duke directed all his severity to the noble lords on the cross benches, who had been his former friends. He thought the noble duke acted rather unfairly: if he gave a lecture on the subject at all, he ought to direct a portion of it to the noble lords on the opposition bench, who seemed to be now the noble duke's principal friends. The noble duke had taken upon himself, boldly and manfully, the responsibility of the measure proposed to parliament. It was a most heavy responsibility. If he (lord F.) should find himself in error in his view of the subject, that would prove some consolation to him for the laceration of private and public connexions which the course pursued by his majesty's government had caused to him. He did hope that the noble duke would make good his pledge, that the measure, if assented to by his majesty, would not be in violation of his majesty's Coronation Oath. He would say nothing on that point now, excepting, that the very circumstance of that being a question, with many of the well-educated classes in this country, was in itself an evil.

Lord *Farnham* said, he could not agree with the noble lord, in the propriety of acceding to an arrangement not to discuss the question on presenting petitions. It certainly might be the most convenient way for those who were the supporters of this measure, to confine the consideration of it to one evening. He might have consented to such an arrangement, if the measure were not to be hurried forward with a rapidity totally inconsistent with its being understood in the remote parts of the country. He could state, without fear of contradiction, that the measure had never been propounded until the 5th of March. He saw by the votes of the House of Commons, that the principle of the bill was to be taken under consideration to-morrow, being no longer than twelve days from the time it was first explained. Now he did ask, whether, if the premises he had stated were founded on fact, which he defied any one to deny, twelve days were a sufficient time for the country to be made acquainted with the nature of such a measure? He could assure the House, that if sufficient time had only been given for the consideration of the bill, he should not have recourse to what the privileges of parliament undoubtedly allowed him—to enter, upon presenting petitions, into the subject matter of them. When the measure to which he had alluded was explained in detail, it produced more dissatisfaction and disappointment than any measure which had been before submitted to parliament. The noble duke had, a few days before the measure was brought forward, stated to their lordships, that when the securities which would be proposed were known to noble lords in that House, they would satisfy the House in general; and he had expressed an opinion, that they would also satisfy the scruples of the right reverend prelate, to whose observations he was then replying. The measure had, however, created universal disappointment, because every concession was made to the Catholics, and no security offered in return. He was not now going to argue the question, but when it came regularly before their lordships, it would not be difficult to prove, that no securities were offered in the bill. It might be, that in the nature of things no security could be offered; and that was the best apology for the noble duke. He thought it an insult to every man of common sense, to say that there was one atom of security afforded by the bill.

The Duke of *Wellington* said, he had not, on the occasion referred to by the noble earl, said one word about securities. What he had said was in reply to a right reverend prelate, assuring him that he might take the Oath of Supremacy after the passing of the bill with as safe a conscience as before it; and he had added, and would prove, that that measure would be more conducive to the prevention than to the promotion of the growth of popery.

HOUSE OF COMMONS.

Monday, March 16.

ROMAN CATHOLIC CLAIMS—PETITIONS FOR AND AGAINST]. The Marquis of *Chandos* presented a petition against further Concessions to the Catholics, from *Greenock*, and said it was numerously and respectably signed.

Sir *M. S. Stewart* said, that from his connexion with the town of *Greenock*, he trusted the House would not consider the petition now presented as representing any thing like the undivided opinion of the more respectable and intelligent part of that community. In proof of this, he should have the honour of presenting more than one petition from that town, praying for full concessions to their Roman Catholic fellow-subjects. He begged to express much respect for many of the individuals who had signed that petition, and he gave them full credit for the sincerity of their opinions, although he could not help expressing his regret and astonishment at some of the sentiments contained in that petition. He especially regretted the means that had been used to excite a strong religious feeling among the people of *Greenock* and throughout the west of *Scotland*, inducing them to sign that and other petitions—he alluded to the efforts that had been used by some members of the Church of *Scotland* to excite a prejudicial feeling throughout their congregations, by addressing them on this as a purely religious subject, both in and out of their pulpits. In proof of this, he held in his hand some letters from very respectable gentlemen, attesting the facts; but he would not occupy the time of the House by reading them, unless called upon to do so.

Mr. *Doherty* said, he rose to present two petitions in favour of further concessions to the Roman Catholics. The House

could not be ignorant of the purpose for which he then rose, as he had unexpectedly been called upon to say more in respect of it than he had intended, on a former evening. He trusted, however, that he might be permitted to make one or two observations in introducing them more formally to the consideration of parliament; inasmuch as there were few petitions which, from the circumstances attending them, were entitled to greater attention. The two petitions which he had to present, came from the bar of *Ireland*: they first came from the Protestant practising barristers in *Ireland*, or at least from one hundred of them; the second came from sixty-seven Roman Catholic practising barristers in the same country. He had made a distinction as to practising and not practising barristers, in order to meet the observations which had been made by his hon. friend, the member for *Dover*, when he first alluded to these petitions. His hon. friend had resorted to a public register of the names of the barristers of *Ireland*, and had said, that he found them to amount to upwards of five hundred and twenty. His hon. friend was not perhaps aware, that the list to which he had referred gave an exaggerated statement of the number of barristers in *Ireland*, and especially of the practising barristers. These petitions came from practising barristers merely, and not from all the practising barristers; but only from the undersigned. The first petition did not arrogate to itself to express the sense of the bar of *Ireland*, or of the Protestant bar of *Ireland*, or of the majority of the Protestant bar of *Ireland*, though, if he might resort to the best mode of ascertaining the number of practising barristers, he might venture to suggest, that it did speak the sense of the Protestant practising bar of *Ireland*. He would beg leave to read to them part of the contents of a letter which he had received with this petition from *Ireland*. It was to this effect:—"If discussion shall arise as to the number of practising barristers, it may be useful to you to know, that two hundred and forty paid their subscriptions to the law-library last year, which will furnish a good criterion as to the number of barristers who practise." Out of this number of two hundred and forty, one hundred and sixty-seven had signed the two petitions which he had the honour of then presenting. He could say,

from his own knowledge, that many gentlemen who were very favourable to the claims of the Roman Catholics, had refrained from signing any petition upon this subject, and for this reason—that, holding offices connected with the administration of justice in Ireland, they thought it would be more prudent in them to abstain, lest their subscribing a petition should excite a suspicion that they were influenced by party feelings and by party prejudices. With reference to what had fallen from his hon. and learned friend, the member for Dover, he could assure him, that both a large proportion of the retired barristers, as well as of the practising ones, were now favourable to the concession.—So much as to the petition from the Protestant members of the Irish bar. The second petition was from the Roman Catholic barristers of that body. No one who knew this class of the profession, their knowledge, their diligence, their fair and just pretensions to the highest honours of the bar, but must feel most grateful for the removal of restrictions from them which were most unwise and impolitic. With respect to the Catholic members of the Irish bar, he had one important fact to state; namely, four or five of them had been lately appointed to high judicial offices, such as assistant barristers, in different parts of the country; and respecting their impartial and dignified conduct, he would appeal to hon. members who resided in the same parts of the country, whether those gentlemen did not command unqualified confidence and respect? It was, indeed, monstrous to suppose, that a coincidence in religious opinions was necessary for the due administration of justice. If it were so, what must not the Catholics have suffered at receiving law for so long a period exclusively from Protestant judges? It was time to abolish these unjust and invidious distinctions, and that in future the race between the members of the two religions should be one of rivalry in the promotion of kind and gracious opinions.

Mr. Moore said, he did not wish to detract from the value of the petitions which his hon. and learned friend was about to present; but he would distinctly affirm, that the most distinguished members of the bar had not signed these petitions. Men of the highest learning, of the most profound constitutional knowledge, at the Irish bar, did not concur in these sentiments.

Mr. Trant said, he knew that several of the old members of the bar did not participate in these opinions.

Mr. Doherty repeated, that the influential portion of the Irish bar, who had expressed their opinions, were in favour of concession. He knew, indeed, that several had refrained from coming forward to petition, and in that which he had just presented, care was particularly taken that none but practising barristers should sign; he had, indeed, refused the signatures of four or five gentlemen in London, because they could not strictly be designated as active members of the profession. He should not undertake the invidious task of marking the members who had not come forward to petition. He knew that a number who formerly dissented from this measure were now, under the change of times and circumstances, prepared to take a new course, and to meet fresh exigences. Mr. Burke had well described, in one of his letters the influence of times and circumstances upon such a question as this, and how considerable a part of wisdom it was, to be guided by the course of events. If his hon. and learned friend thought that the other members of the bar were hostile to concession, why not have tried them with a counter-petition? There was zeal enough to induce such a step, if it were likely to be successful. His hon. and learned friend ought to recollect the maxim of law, "*de non apparentibus, et non existentibus eadem est ratio.*" He had no petitions to support his view of the question, and the conclusion ought to be that there were none. He could assure the House, that the prospect of benefits to be derived from the consummation of this measure was already most cheering. He had no hesitation in predicting, that the proposed measure would pluck up the source of discontent; that the Protestants who had taken up arms to resist what they considered aggression would be the first to lay down those arms; and that the gentry and the educated classes amongst the Roman Catholics from foes would become allies. In his opinion, the measure was eminently calculated to benefit Ireland.

Colonel Sibthorp, in presenting several petitions against further concessions, said, he regretted to perceive that his majesty's ministers were determined to persevere in the ungrateful measure. The learned solicitor-general for Ireland had spoken

of the beneficial effects of this measure on Ireland. Now, he questioned whether the measure would be attended with any beneficial results to Ireland. He could assure the House that it excited considerable apprehension in Lincolnshire; where the humbler classes, instead of cultivating their grounds, had turned politicians. The petitions which he had now the honour to present, contained the signatures of four or five females; and he did not see why females should not sign petitions on this subject. In his opinion both men and women were bound to come forward on a subject so deeply interesting to the welfare of the community, and to express their sense of the detestable measure which it was attempted to force on the country.

General *Peachy*, in presenting a petition from Taunton against further concessions, observed, that the petition was signed by many of the most respectable of the gentry of that part of the kingdom; by many who were descended from those gallant spirits who had formerly shed their blood in support of the principles of civil and religious liberty. The petitioners were anxious that the glorious bulwarks of the constitution, which were reared by their ancestors, should be handed down to their children unimpaired; and in those sentiments he entirely concurred.

Mr. *H. Seymour* bore testimony to the respectability of the petitioners, but regretted that the petition was couched in such violent language. He also begged to state that three hundred and seventy-three signatures had been attached to a counter-petition got up in Taunton.

Mr. *Dickinson* said, that many of the petitioners were his constituents as well as those of the hon. member who had just addressed the House. He denied that the petition contained any expressions which should be considered too strong, and declared that he had never seen a petition more respectably signed.

General *Peachy* gave his unqualified dissent to the observation of his hon. colleague, that the petition contained violent expressions. When it was openly avowed that it was intended to break in upon the constitution as settled in 1688, it surely became the people to give expression to the feelings which animated them. For his own part, he should be ashamed to present a vapid, luke-warm petition on such a subject and at such a time. As

hon. gentlemen had spoken of placards, he would read one which had been circulated in Taunton. It run thus:—"None are against Catholic emancipation but interested parsons and bigots; but they are for tithes, oppression, &c." This was the way he should use this miserable and contemptible placard [tearing it at the same time in pieces, and casting the fragments on the floor of the House amid laughter.]

Mr. *Batley*, in presenting a similar petition from Beverley said, it was signed by one thousand nine hundred most respectable individuals, all of whom were devotedly attached to the established church. A counter-petition, signed by three or four hundred persons, had been got up in Beverley; and, though he respected the motives of the parties whose names were affixed to it, he must express his decided conviction, that the predominant feeling of the inhabitants was against the measure now brought forward. In this feeling he entirely concurred, and would instantly resign his seat if his opinion differed from that of his constituents.

Mr. *Roberts* presented petitions from Protestant Dissenters of Cranbrook and Maidstone, in favour of the Catholic claims. With reference to the last petition, he felt justified in assuming, from the respectability of the signatures, that the great question of Catholic emancipation was advancing in Maidstone, and he entertained a confident hope, that the hostility recently manifested to the measure in that place, and the excitement produced by the agitation of the question, would be succeeded, at no very distant period, by an acquiescence in, and belief of, the expediency of the bill which ministers had introduced.

Mr. *Well* denied, that the petition represented the sense of the great majority of the freeholders and inhabitants of Maidstone. The question was one which involved the fate of the constitution and the country, and the population of Kent had given the best evidence of their disapprobation of any attempt to deal with it in the manner proposed by his majesty's ministers. The excitement produced in the county of Kent by the agitation of this question had not subsided. It was only on Saturday he visited his own place, and he found that, on the preceding Friday, the people had assembled to burn in effigy an advocate of the Roman Catholic

claims. He was aware it was his duty, as far as in him lay, to suppress every manifestation of violence and improper excitement, and he only alluded to the circumstance as an evidence that the feelings of the people were not so quiescent upon the subject, as some hon. gentlemen would wish to represent. He thought it unbecoming in the learned solicitor-general for Ireland, to taunt the hon. member for Dublin, as he had done on a preceding evening, with his reiterated appeals and allusions to the principles of the Revolution of 1688. Too frequent mention could not be made of those principles and that event. For his own part, he should like to have a starling taught to repeat the words "constitution of 1688" for the edification of some gentlemen in that House, and it might be as well if the bird also repeated his lesson at Windsor Castle. He expressed his firm conviction, that it would be impossible to preserve the constitution, if Roman Catholics were admitted to the privilege of having seats in Parliament.

Mr. *J. Martin* said, he thought they need not wonder at the excitement that had been produced in the minds of the people upon this subject, when they observed noble peers calling upon them to give "one cheer more for Protestant ascendancy,"—when they saw clergymen interposing in a manner not the most seemly, to inflame the populace—and when a magistrate and a member of parliament, at a period when no excitement existed, declared his readiness to "fight up to his knees in blood" [hear] in a cause to which it was unnecessary more particularly to allude. When such inflammatory language had been made use of, he did not wonder at the excitement of the people. Much might be said on behalf of the Roman Catholic agitators of Ireland. They had suffered long and severely. The cup of hope had been often dashed from their lips; and, under such circumstances, their intemperance was not to be wondered at; but the agitators of this country, who endeavoured to influence the feelings of the people by acts and language like those in question, had no excuse.

Mr. *Wells* said, he felt that the hon. member had done him an honour in alluding to his name in connection with that of the noble lord who had so much distinguished himself by his exertions in support of the constitution. With respect to

the conduct of that noble lord, it would be impossible for him to do justice by words, to the feelings of admiration which the conduct of that noble lord had excited in his mind. Of him he would therefore say nothing. As to what had been said of himself, he regarded it with no other feeling than the utmost degree of contempt.

A cry of "Order."

The *Speaker*.—Mr. *Wells*!

Mr. *Wells* said, if he had been guilty of any breach of order he felt sorry for having transgressed the rules of the House. The hon. member then vindicated the language which had been attributed to him, and contended, that in the sense, and under the circumstances in which he had used it, it was perfectly justifiable.

Sir *G. Hill* presented a petition, numerous signed by the inhabitants of the city and county of Londonderry, against further concessions to the Catholics. He observed, that great changes had taken place in the opinions of many of the residents in that part of the country, as to the necessity of some measure for the settlement of this question. Still, however, great difference of opinion existed, and he was bound to say, that a decided majority of the county was hostile to the concession of political power. Having acted so long in congeniality of feeling and in co-operation with his constituents in hostility to the Catholic claims, he might be allowed to say a few words in justification of his change of sentiments. The question had never before come forward, under the circumstances which now attended it. It had never before been brought forward by his majesty's ministers, with the concurrence of several of the royal dukes, and one of them the next heir to the throne, supported by three-fourths of the representatives of Ireland, and a large proportion of the landed interest in that country; and, above all, strengthened by the actual certainty, that something must be done to alter the present condition of affairs in Ireland. These were the considerations which forced upon his mind the conviction of the necessity of a settlement of the question.

Sir *J. Brydges* said, he was desired by the mayor of Coleraine, which borough he had the honour of representing, and which was one of the principal towns in the county of Londonderry, to support the petition just presented by the right hon. baronet. This he did with great satisfac-

tion; as his own opinions agreed with those of the petitioners, who constituted the majority of the wealth and respectability of the county. He agreed with them, that the proposed measures of ministers tended to separate man from man, and divide family from family, while they would be far from settling the state of Ireland. Neither would they be acceptable to the Catholics, who could not be grateful for a measure that went to deprive them of their elective franchise. It was a matter of great mortification to him, that he could not vote with the right hon. the home secretary on the bill then in progress through the House. He did not question the purity of that right hon. gentleman's motives, and hoped to see him retracing his steps and rejoining those friends who never would abandon him.

Mr. *G. Dawson* said, the petition just presented by his right hon. friend had been usually intrusted to his care. Its respectability he did not mean to deny; nor would he take up the time of the House in stating the various artifices, with a view to obtaining numerous signatures, which letters that he had received from Londonderry informed him had been had recourse to. He was quite satisfied to allow that the petition was that of upwards of twenty thousand respectable Protestant inhabitants of the county, which he had the honour of representing, against the Catholic claims. It contained the signatures of magistrates and clergymen, of whose respectability he was a willing witness. But, while he admitted this respectability, he must distinctly deny that the petition expressed the unanimous sentiments of the county on the Catholic question. On the contrary, he must say, that the far larger portion of the respectability, intelligence, and wealth, of the county had not signed it. Nay more, that more than a moiety of the landed property of Londonderry had signed a petition in favour of concession to the Catholics. It was true, that that petition had but one hundred and seventy signatures; but those included the proprietors of more than half the landed property of the county; and if exertions had been made, he had no doubt that it would have been at least as numerously signed, as that just presented by his right hon. friend. He felt justified in stating, that the people of the north of Ireland were beginning to see the necessity of settling the Catholic question, and

he was confident that, in a few months, they would be unanimous in favour of it. Was there not a proof of his statement before the House? For though his right hon. friend had changed his opinions on the Catholic question, he was intrusted with a petition by gentlemen, many of whom he was convinced would, in a short time, imitate his right hon. friend's conduct, and change their opinions. He dissented entirely from what had fallen from the hon. member for Coleraine, and would give his right hon. relative's measure his most cordial support; for he was convinced that that measure would contribute to the well-being of the empire, and would be hailed by the Protestants and Catholics of Ireland as the harbinger of the prosperity of his native country.

Mr. *A. R. Stewart* concurred with what had fallen from his right hon. colleague, and was sure that the petitioners would in a short time be friendly to the measure.

Mr. *Tuite* also agreed with the right hon. member for Londonderry that the intended measures of the government would be hailed with unqualified gratitude by the Catholics, and with satisfaction by the Protestants of Ireland. The hon. member read extracts from private letters from some of his constituents in Westmeath, in which the writers stated, that the bill for raising the elective franchise to 10*l*. would be hailed as a benefit by the freeholders themselves, while it would do away with the mischievous inducement to subdivide small farms.

Lord *Milton* presented a petition in favour of the Catholic claims from the town of Leeds. It had attached to it the signatures of sixteen thousand of the inhabitants of that wealthy, populous, and enterprising town, and those signatures were obtained in the short space of two days. In the course of last winter a public meeting was held in the town, at which from fifteen thousand to twenty thousand persons attended. The question of emancipation was warmly debated, and the meeting decided in favour of an address to his majesty, praying him to take into his consideration the Catholic claims. Since that meeting had taken place, it was not the intention of the inhabitants who were favourable to emancipation to agitate the question further; but the conduct of those who were adverse to the claims had left them no alternative, but to come forward and express their sentiments.

Colonel Wood presented a petition from Brecon, against the Catholic claims. A meeting of the inhabitants of that county had been held, at which a petition against the measure now before parliament had been almost unanimously adopted. He was desirous to explain the position in which he was placed, in consequence of the adoption of that petition. The House was probably not aware that he had never before given a vote upon this question, and he wished to explain the reasons which had induced him to refrain from voting. He had had the happiness of being connected for many years with a deceased minister, whose political life was zealously devoted to the advocacy of the Catholic cause. At the same time, the great body of the constituents whom he represented were adverse to the Catholic claims. Under these circumstances he had held himself neutral on the question; on this express understanding, that whenever the county should, at a public meeting, declare its opinion, his vote should be regulated accordingly. A meeting of the county had been held within the last few days, and the great majority were in favour of the petition against the Catholic claims. Only ten or twelve hands were held up against it, he should therefore vote against the measure. Some hon. members might consider such a mode of proceeding unconstitutional, but he deemed it the only course which he could adopt in justice to his constituents.

Mr. Van Homrigh said, he would take that opportunity of declaring his opinion—an opinion which he had maintained from his first entrance into public life—that the penal disqualifications affecting the Roman Catholics were unjust, impolitic, and degrading, and that their removal would be highly beneficial to the empire at large.

Mr. D. W. Harvey rose, to present a petition in favour of the great principle of religious liberty and equal rights, from the town of Colchester. The petition, the hon. member stated, was signed by members of the established church, and by persons connected with various dissenting congregations. He was aware that, on a former evening, a petition numerously signed had been presented by his hon. colleague against the Catholic claims, and he had now to state, that these petitioners had no wish to detract from the respectability of that petition, or to impugn the motives of those who signed it. They felt that, in giving expression to their

own feelings, they had no right to detract from the honest, conscientious feelings of those who differed from them in opinion. He could not, however, omit to mention a circumstance, as illustrative of the industry of those who had got up the petition presented by his hon. colleague; namely, that the signatures of one hundred and fifty children, who attended a school belonging to the established church in that neighbourhood, were affixed to it. The Dissenters who had signed the present petition had also a school there, containing full as many children, equally as competent to judge on such an abstract question, as the children in the school connected with the established church; but they very properly abstained from having their signatures affixed to a public document of this nature.—As he was on his legs, he would avail himself of that opportunity of saying a few words in reference to the language which had been employed, and the spirit which had been manifested, by the hon. member for Limerick, on a former evening, in consequence of some observations which he had made upon that occasion. On that occasion, he had ventured, for the first time, to express his sentiments to the House on the subject of the measure before them. He had said then, and he still thought, that such a measure either went too far, or did not go far enough: he had said then, and he would still maintain, that the measure which had been so ably introduced by the right hon. Secretary, founded upon the recommendation in his majesty's Speech, to take the whole state of Ireland into consideration, with a view to its pacification, was not calculated completely to attain that object; and he then declared, as he still felt, that they would never permanently pacify Ireland, unless some arrangement were made for a provision for the Catholic clergy. He suggested at the same time, and he still entertained the opinion, that an ample fund for that purpose should be appropriated out of the revenues of the established church in Ireland. As long as the Catholics of Ireland continued, like the Catholics in other countries, sincerely devoted to their religion, it was impossible that they could sincerely or tamely submit to a system, under which the immense majority of the people were deprived of the ecclesiastical revenues, while those revenues were enjoyed by a church to which but a small proportion of the inhabitants of the

country belonged. He therefore declared, that the present measure would not accomplish any permanent result, in the way of pacifying the country, while such a grievance as that was left unredressed. For offering such a suggestion, he was attacked by the hon. member for Limerick, and his sentiments were animadverted upon in a dictatorial and an unprecedented tone by that hon. member. When upon a succeeding evening he had taxed that hon. member with supporting himself a motion which directly tended to diminish the revenues of the established church in Ireland, that hon. member had replied, that in the whole course of his life he had never supported a motion that had such a tendency. Now, the impression upon his mind was, that the hon. member had, upon some former occasion, supported a motion which had a direct tendency to interfere with the ecclesiastical revenues of the established church in Ireland. And what was the fact? He found that, in 1824, on the occasion of a motion brought forward by the hon. member for Montrose, which motion consisted of the following words, "That it is expedient to inquire, whether the present church establishment of Ireland be not more than commensurate to the services to be performed, both as regards the number of persons employed and the incomes they receive," the hon. member for Limerick was among the minority. In the spirit of that resolution, he perfectly concurred; and if he had then had a seat in that House, he would have been with the hon. member for Limerick in the minority. But, what were the terms in which that motion was characterized by a then eloquent member of that House, who had since been promoted to the House of Peers—he meant lord Plunkett. Mr. Plunkett said—"Really, when the hon. gentleman coupled the expression of his approbation of that priesthood, with the exposition of his plan for pulling down the revenue of the Protestant Church in that country — of transferring and delivering it into the hands of the Roman Catholic hierarchy—for such was the scope of his proposition—the House would give him leave to say, that he deprecated the hon. gentleman's advocacy of their cause, more than he should lament his hostility to it." Such was the motion, so characterized by lord Plunkett, which had been supported by the hon. member for Limerick. Lord

Plunkett on that occasion further said—"The hon. member for Aberdeen was for no church establishment." Such was the description given of the proposition, in favour of which the hon. member for Limerick voted. "Speaking of it," continued lord Plunkett on that occasion—"in a political point of view, he had no hesitation to state, that the existence of the Protestant establishment was the great bond of union between the two countries; and if that unfortunate moment should arrive when they would rashly lay their hands on the property of the church, to rob it of its rights, that moment they would seal the doom, and terminate the connexion between the two countries." Such were the objects attributed to this motion, and the character given of it by lord Plunkett. He had referred to this subject in consequence of the uncalled-for and unjustifiable course which the hon. member for Limerick had adopted towards him, and he thought he had already adduced sufficient evidence to prove, that at least on one occasion that hon. member had voted for a motion which tended to diminish the revenues of the established church in Ireland. The hon. member for Louth, one of the miraculous converts of the present day, in speaking of this motion, introduced by the hon. member for Montrose, said, that "the question appeared to be, how much or how little of the property of the Church of Ireland was now to be confiscated?" Here was a motion supported by the hon. member for Limerick, and involving the question—"How much or how little of the Protestant Church in Ireland was to be confiscated;" and yet that hon. member now declared, that if he thought the present measure of Catholic emancipation would have the slightest tendency to injure the interests of the established church it should not have his support. He wished it to be understood, that he did not rise to attack any hon. member for the course which he might think fit to pursue in that House, but he would always rise when he conceived it necessary to defend himself; and he would endeavour, on all occasions, strenuously to defend himself, let the attack be directed from whatever quarter it might. He felt that this was a subject which ought to be seriously discussed in that House. It was not, however, his purpose to enter further on it at present; but he trusted that an opportunity would

be afforded to him, in the course of the discussion on the bill, to show, that however the measure of the right hon. Secretary was calculated, *pro tanto*, to effect much good, it would not effect that which his majesty and his ministers desired; namely, the permanent pacification of Ireland. It could not do this, whilst it left so large a subject for future debate and division. They would have the Catholic Association in parliament, backed by the feelings of millions of discontented people in Ireland. He therefore contended, that though the bill might pacify the Catholic aristocracy, by placing a number of noble lords in the other House, and by introducing into the House of Commons several individuals distinguished by their genius and talents, yet it would leave the people entirely unbenefitted, and the clergy entirely unprotected; and they would thus, by this measure, continually aggravate them to new exertions, and at the same time disappoint their own sanguine expectations of tranquillizing Ireland.

Mr. *Spring Rice* said, that under any other circumstances he should apologize to the House for obtruding on its attention any remarks in defence of the conduct of an individual so humble as he was; but after the statement which had been made by the hon. member for Colchester, he hoped that gentlemen would do him the favour of affording their attention to the few observations which he felt it necessary to make. He could assure the hon. gentleman, that no other feeling but a sense of duty could have induced him, either on former occasions, or on the present, to bring himself in collision with the hon. member. He felt himself called on to repel and to expose, what he would take the liberty of designating—not insincerity, for he had no right to make so positive, a charge—but that which had the greatest appearance of insincerity, on the part of the hon. member. He would advert to the speech which the hon. member had just made, and he would ask, how he could possibly reconcile the two propositions which were embodied in it? The hon. gentleman declared, with apparent sincerity, his readiness to support the bill, and yet he took a course which no individual in that House or out of that House could doubt was, of all others, the most decidedly calculated to injure the cause which he declared he would espouse. He demanded, with what other object could the hon.

gentleman have made those observations to which he alluded? Did not the hon. gentleman know, that such observations evidently tended to endanger the success of the measure? He begged of the hon. gentleman to contradict him, if he could, when he averred, that every word which the hon. gentleman had uttered, was calculated to injure the Catholic cause. He would willingly join issue with the hon. gentleman on that point. If the hon. gentleman could not contradict him—and he was sure he could not—with what face could the hon. gentleman come into that House, and say, that he would support a measure which appeared beneficial to the public interest, and at the same time take a course that had an immediate tendency to defeat that very object? The hon. gentleman must have heard and marked to-night, as he must have heard and marked the other night, by whom his observations were cheered. When he said, that the hon. gentleman's remarks were calculated to injure the Catholic question, he did not speak lightly, or from any personal feeling. He had not forgotten the two gentlemen who followed the hon. member on a former night, nor the language which had been used by them. The gallant officer, the member for Norwich, exclaimed on that occasion, "I thank the hon. member for Colchester, for the frank, and honest, and manly declaration which he has made. He has stated fairly, that the effect of this measure will be to pull down the Protestant Church in Ireland;" a similar tribute was paid to the hon. gentleman by the hon. member for the University of Oxford, and the sentiment was echoed in various publications which were under the control of those who are opposed to the Catholic question. What did the course adopted by the hon. gentleman amount to? Why, it might be described thus:—It was proclaimed, "Whereas, the gracious message of the King recommends this measure to your consideration; but it only recommends it, so far as it can be effected consistently with the safety and security of the Protestant Church: and whereas, a secretary of State, in the true spirit of sincerity, and with an anxious desire that the bill shall pass, has declared, 'I, a friend to the measure, wish it only to proceed, if it interfere not with the Church, and every man see that if it be not consistent with the interests of the Church, there is no chance that the measure will be carried.'"

After this came the hon. gentleman—the supporter of the measure—the new convert—and he spoke of miraculous conversions; but such a conversion he had never seen before, and certainly never wished to see again—it looked so much like one of the stratagems of war, where an individual went over from one party to another, but instead of assisting, injured those by whom he was received. And what line did he pursue? Why, he said, “You must put no confidence in the declarations of Mr. Grattan, of Mr. Plunkett, of the right hon. member for the city of Waterford, or of any of those great men who have so ably and zealously supported the Catholic claims—you must disbelieve them, for the real effect of this measure will be, to overturn the established Church.” This statement of the hon. member for Colchester was cheered by hon. members in that House, and it was also received with cheers out of doors. He gave those who cheered its joy of their newly-discovered authority. For his own part, he was perfectly satisfied with the authorities which he had on his side, and he left those gentlemen in full possession of theirs. If he thought the observations made by the hon. gentleman were lightly or inadvertently spoken, he would not have made a remark on the subject; but it was evident to him, that they were not lightly or inadvertently spoken. If the observation which he (Mr. Rice) made on a former occasion was so erroneous as the hon. member seemed to think it, a full opportunity was given to him for replying to it on the Friday night, when that observation was thrown out; but the hon. gentleman did not think proper to come forward till the Tuesday following. The hon. gentleman had stated, that it was owing to him (Mr. Rice), and for his convenience, that the postponement of the matter took place. Now, he wished the hon. member had favoured him with his remarks on the evening when the occurrence happened. He came down when the House again met, and staid till its rising, but the hon. member did not appear. He also came down on the day after, but, as he could not wait till a late period in the evening, he left a note for the hon. gentleman. Therefore, he conceived there was no fault on his part. With respect to the charge of inconsistency which the hon. gentleman had brought against him, he should be able to show to the House that he had been guilty of no inconsistency;

and he stood on grounds which he should be able fully to vindicate, whenever a proper occasion arrived; but he would not vindicate his conduct now, except to expose the fallacy that lurked throughout the speech of the hon. gentleman. When he entered parliament there were two opinions on the subject of Church property. He stated this plainly, and he called on the hon. gentleman to contradict him, if he could. The first of those opinions was the opinion of that class of persons who maintained that the Church property was, in all respects, sacred, inviolable, and not to be touched by the nation. The second was the opinion maintained by an hon. friend, the member for Aberdeen. The opinion of the hon. member for Aberdeen was, that Church property was liable to be confiscated by the state, and to be applied to any other purpose, saving the existing rights of individuals. Now, from the first to the last, since he had been in parliament, he had differed from both those opinions. He thought that they were extremes, far removed from the truth. He considered the Church property of England and Ireland as created and protected by the law, like other property, but that it was not held absolutely, but on a certain condition. Therefore, while he denied the right assumed by one class to confiscate or appropriate the property of the Church, he equally denied the right of the other class to refuse inquiry into the way in which those public trusts were discharged, or in which the stipulated conditions were fulfilled. Acting upon this principle; whenever in parliament a proposition was made for laying hold of the rights of the Church, and for confiscating that property, to such a proposition he had always said “No.” In no one instance had he supported such a proposition; and, leaving it to the hon. member for Colchester, whenever such a proposition was made, to give his assent to it, he certainly should take an opposite course. But, on the other hand, whenever a proposition was made for inquiry into the state of Irish church property, for the purpose of seeing that it was properly applied, he would give that motion his cordial assent. He had voted uniformly against confiscation; but he had as uniformly voted for inquiry. Thus stood the case between him and the hon. member. In 1822, when the hon. member for Montrose brought forward a motion relative to Irish church property, to that mo-

tion he could not give his assent, and he drew up an amendment himself, which his right hon. friend, the member for Waterford, seconded. On that occasion, however, the House came to no resolution on the subject. In 1823, a more specific proposition was submitted to the House by the hon. member for Montrose. He moved, "that the property of the Church was public property," and he followed this up with several other propositions. He could not, however, give his assent to either of those propositions, and he was not present at their discussion. He now came to 1824. In that year, the hon. member for Montrose moved, not a proposition for the confiscation of Church property, as was asserted by the hon. gentleman, but a proposition for inquiry. His motion for confiscation having been negatived in 1823, he moved for inquiry in 1824. His motion embraced the question of plurality of livings—the question of the residence of the clergy—the question of tithes—and the question of first-fruits. Now, he (Mr. Rice) did, in the year 1824, think, that those matters should be fairly inquired into. Still, said the hon. member for Colchester, it was a measure of confiscation, and was so stated by Mr. Plunkett. He, however, would not take the explanation of his hon. friend as to the nature of the measure proposed by the hon. member for Montrose. But, if the opinion of Mr. Plunkett were good on this subject, with respect to the object of the motion of 1824, he conceived that the authority of the hon. member for Montrose was still better. And what did he say? He said, all he wanted was, an inquiry into the state of Church property in Ireland, and he was opposed to any idea of robbery or spoliation. Therefore, the statement and opinion of the hon. member for Montrose were with him, and against the hon. gentleman; and if any proposition were brought forward for the spoliation or robbery of Church property, unquestionably the hon. gentleman would not find it in this instance. He did not speak on that occasion; but, fortunately for him, he did speak on another occasion, in the course of that year, and he took at that time precisely the same distinction to which he now referred. He made use of these words, in the course of his observations on a proposition relative to the first-fruits—"He was as sincere a friend to the Church establishment of Ireland as the right hon. and

learned gentleman (the attorney general, to whom he was then replying), and he thought he best proved his attachment to it, by advocating that species of reform which would extend the duties of the clergy. Much had been said on what was called the spoliation of the Church; but that offensive word could not be justly applied to the motion before the House. It was one thing for the Crown to seize the property of the Church, and apply it to the purposes of the state, and another to apply the funds of the Church to its maintenance, and to the advancement of religion and morality. The first might be termed spoliation; but the latter was rather to be looked upon as the preservation of the Church property. For the sake of the peace of Ireland, it was absolutely necessary that the whole of this important subject should be thoroughly investigated."—Now, he would leave it to the House, whether the hon. gentleman had dealt fairly with him. The hon. gentleman had gone through all his speeches, for the purpose of bringing a charge against him; yet he had neither the candour nor the fair-dealing to bring forward that passage which he had just read, and which gave a complete contradiction to every part of the hon. gentleman's charge. The hon. gentleman had gone over ten years of his public life, but he defied him to adduce a particle of evidence in support of his accusation. In like manner, in 1825, the hon. member for Montrose brought forward his final attack on the Church—an attack which called forth that magnificent speech of Mr. Canning in its defence. The motion on that occasion was, "that the property now in the possession of the established Church in Ireland is public property, under the control of the legislature, and applicable to such purposes as in its wisdom it may deem beneficial to the best interests of religion and of the community at large, due regard being had to the rights of every person in the actual enjoyment of any part of that property." Did he vote for that motion? Certainly not. If he had, on either of the two occasions to which he had alluded, voted for such a proposition, then the hon. gentleman might go on and charge him with inconsistency. He had gone over the ten years of his political life, and he had shown, that neither in 1823 or 1825 had he voted for the motions of the hon. member for Montrose. But that was not all. The fact was, that

no one voted for them; for in both instances the propositions so brought forward were negatived without a division. He felt, he acknowledged, somewhat warmly on this subject; because he was ready to deal with an open enemy. An open, manly, and fair adversary challenged his respect; but when he found that a secret, indirect, and tortuous course was pursued, it moved his indignation. If a gentleman got up and frankly said—"I shall oppose this question, because it will overturn the constitution," he gave him credit for his candour; but he could not view with approbation the conduct of a man who would rise and state, "I wish this measure to succeed," and who would add, in a stage whisper, "I know it contains that which will cause it to fail, and which will create discontent and disaffection." The first deed he had to adduce in support of this bill was, that the measure was not calculated to injure the Protestant Church; and he would not allow that deed to be taken away from him and another substituted, on which he could not go before a jury with a chance of having a verdict in his favour. During a whole week the hon. gentleman had brought a charge of inconsistency against him. He had now stated the facts, and he would leave it to the House to decide between him and the hon. gentleman, and to say whether the hon. gentleman had, or had not, made out his case of inconsistency.

Mr. D. W. Harvey said, the speech of the hon. gentleman was not a reply to the observations which he had made that night, or at a former period. He denied that he had put the hon. gentleman on his defence; but he undoubtedly felt it necessary to defend himself. The hon. gentleman said that he had ransacked his political life, and had examined all his speeches, for the purpose of bringing a charge against him. Now it would, he thought, be a very severe task—and, he would say, no slight punishment—to go through the hon. gentleman's speeches for the last ten years. The hon. gentleman had found him guilty; but he trusted that he would not be allowed to award the punishment. If he were, doubtless he should be compelled to go through the Parliamentary Debates—to read the long speeches of the hon. gentleman—and, what would be still more difficult, to reconcile one with the other. The hon. gentleman had imputed to him that which was groundless, but which was perfectly

applicable to himself, if he looked through a few years. The hon. gentleman said, that, if an individual supported a measure, he ought to do so wholly and entirely. He was, it appeared, to look upon it as not capable of improvement or alteration. Now, he must disclaim such a doctrine. He might be favourable to this measure, and yet see plainly that it would not effect the object which was intended. That was the opinion he before expressed, and he thought so still; because, by this measure, they left the people separated from their priests, without any benefit being conferred. He had never before voted for the question, because until it was brought forward by the Crown, it appeared to him a mere party, he would add, a factious measure; and he believed, if the hon. gentleman and his party had come into power, they would not have proposed so perfect a measure as the present. He could not forget the time when that party went over in a stream to Mr. Canning to oppose the noble duke now at the head of the government, and the right hon. Secretary opposite, upon whom they were now exhausting every term of fulsome panegyric. He believed, in his conscience, that before many months the noble duke and the right hon. gentleman would find in the hon. member for Limerick and his friends their most formidable competitors for place [hear]. These might not be very palatable sentiments to honourable gentlemen, but he did not fear their censure, and he was not anxious to court their applause. When the measure came regularly before the House, he hoped to be able to show that it was possible to be in favour of the bill, and yet not think it all that might be desirable.

Mr. P. Thompson deprecated personal discussions of this nature; but, in the present case, it was impossible to avoid taking that course, in consequence of the accusation which the hon. member for Colchester had brought against his hon. friend, the member for Limerick. The hon. member for Colchester had charged his hon. friend with speaking in a dictatorial manner. But, was such the conduct of his hon. friend?—Assuredly it was not. If ever his hon. friend spoke in a dictatorial tone, it was on that one occasion—when he exposed the doctrine laid down by the hon. gentleman, relative to this bill, and well might he do so; for he spoke, not only his own sentiments, but the sen-

timents of all the friends of the measure.

Lord *Morpeth* denied, that the opposition had been influenced by personal motives in joining the administration of Mr. Canning. They had opposed the noble duke now at the head of the government, and the right hon. Secretary, because they were opposed to the question of emancipation.

MILITIA BALLOT SUSPENSION BILL.]

Mr. Secretary *Peel* said, he rose to move for leave to bring in a bill "to suspend the making of Lists and balloting for the Militia of the united kingdom; and to reduce the permanent staff." The right hon. gentleman referred to the Speech of his majesty at the close of the last session, which promised an inquiry into the public establishments, with a view to such practicable reductions as were compatible with the security of the public service. Owing to this recommendation, the militia had been a subject of consideration by his majesty's government, and it did appear to them, that some reduction of that force was practicable, without injury to the country, and with a very considerable saving. The object of the bill he now proposed to bring in was two-fold; first, to enable the Crown to suspend for a limited period the preparation of lists and balloting for the militia; and, secondly, to authorize a certain reduction of the staff of that force. He proposed a suspension of the ballot, with a view to avoid an unnecessary, and, at the same time, an expensive process, and of giving time to his majesty's government to consider by what mode that constitutional force could, in future, be adequately supplied. At present, no one could look to the system of balloting and not perceive that the country was subjected to an expense, for an object not available for any useful purpose. He would take, as an example, one single county. In the county of Stafford, the establishment of the militia force was one thousand one hundred and thirty men. The law required, that all vacancies occurring in each year should be filled up by a ballot; and every parish in the county was consequently called upon to make out lists, and pass through the form of a ballot, in order to supply the annual vacancies. During the last year, the number of vacancies in the Staffordshire militia was twenty-one; and to supply these vacancies, the form of a ballot was

absolutely necessary. The expense attending the ballot for these twenty-one men amounted to 500*l.*, of which 300*l.* was the share of the public, and 200*l.* fell upon the county. Besides this, it was necessary for parties who claimed an exemption to appear personally and appeal. The number of appellants last year was from three hundred to five hundred; and this to supply a vacancy of twenty-one men! Taking the average number of persons annually required to urge their claims to exemption, the grievance must be severe. Most of them were probably labourers in agriculture: there was then their loss of time; and, if sickness was the ground of exemption, a medical certificate was necessary. Thus there was an expense of 25*l.* per man incurred, although no active service was required of them; at the same time that we were raising able men for the regiments of the line, at the rate of three guineas per man. Without entering further into details, he trusted he had stated enough to satisfy the House of the expediency of suspending the ballot, with a view of ascertaining what measures could be taken to give efficiency to this force at less expense. He proposed merely to suspend the ballot till next sessions; and, if circumstances required it, to give power to the Crown to direct, by order in council, the making out lists in order to meet any emergency which might occur. This alteration would effect a saving of 24,000*l.*—The other object of the bill was to effect a saving in the staff, by a reduction of certain officers, which would restore the militia to its original constitution. The paymaster was an addition to the original constitution of the militia; and he saw no reason why, in time of peace, the adjutant could not perform that duty, with the aid of a pay-clerk. The total permanent saving, by this reduction of the staff, would be full 65,000*l.* a year. In the present year, as the salaries would be paid up to June, the saving on the militia staff would be 40,000*l.* only; but then there would be 24,000*l.* saved by suspending the ballot, which would make the saving this year 64,000*l.*

Leave was given to bring in the bill.

HOUSE OF LORDS.

Tuesday, March, 17.

ROMAN CATHOLIC CLAIMS—PETI-

TIONS FOR AND AGAINST.] The Earl of *Harewood* presented a petition, praying that no further Concessions might be granted to the Roman Catholics. The noble earl said, he would avail himself of that opportunity of shortly stating his opinion with respect to the question to which the petition referred. Ever since the question had been propounded to parliament, he had felt convinced that it was not proper to grant to the Catholics what they required. He was still of that opinion, and if he had not formed that opinion from having considered the question before, he should feel justified in coming to the same conclusion from the measure now proposed by government. What was that measure? It was a bill to place Catholics in the two Houses of parliament; and yet, such was the Catholic religion as known and practised in this country, that a clause was introduced into the same bill, to expel from the kingdom certain parties who belong to that religion. If this provision were necessary, why was he called upon to place in a situation of power persons who would then have an opportunity of reversing that part of the law, which was now considered necessary for our security? It was in his recollection that, some years ago, when it was first proposed to provide for the college of Maynooth, and other establishments of a similar nature, out of the public money; those who opposed that proposal were called illiberals, and other hard names, because they thought that those institutions would not turn out to the advantage of the country. What had been the result? It was now proposed to make a law to control, and ultimately expel, the parties who had established those institutions. The objection he had already stated would alone be sufficient to induce him to vote against the measure; but, when he considered the moment that had been taken for bringing forward the measure, he looked upon the measure as unimportant in the light of a measure of emancipation, compared with the effect it would produce, as being a precedent of concession to threatened rebellion. He felt a high respect for the existing government, and was sorry that any thing should compel him to differ from it, but he could not in his conscience give up what he conceived to be the best security for the liberties of this country.

Lord *Farnham* presented a petition

from Glasgow, signed by thirty-six thousand seven hundred and ninety-six persons, praying, that no further concessions might be granted to the Catholics. The petitioners complained in strong terms, that the measures proposed by ministers were in direct violation of the treaty of union between Scotland and England. After the best consideration he had been able to give to the subject, he was of opinion, that the act of William formed an integral part of the treaty of union with Scotland, and no one could deny that the measure propounded by government was a violation of that act. No people were more tenacious of their religious rights and privileges than the Scotch. Scotland had formerly been convulsed when the people imagined that episcopacy was to be forced upon them. Would they be more quiescent now, when they believed that it was attempted to force popery on them?

The Earl of *Rosebery* said, he would not then enter into the general question, but he could not hear the allegations of the petition, supported as they had been by the noble lord, without stating, that when the proper moment arrived, he would, if not anticipated by some peer of greater ability than himself, undertake to prove to every reasonable mind, that the measure wisely propounded by government with respect to the Catholics, in no way affected the fundamental articles of the union with England and Scotland. If he were convinced that the measure impaired those fundamental articles, he would vote against it.

HOUSE OF COMMONS.

Tuesday, March 17.

ROMAN CATHOLIC CLAIMS — PETITIONS FOR AND AGAINST.] Lord *Nugent*, in presenting a petition from Aylesbury, in favour of Catholic Emancipation, observed, that it was very respectably signed; and that no signature was to it but that of a voter. The noble lord then contrasted the manner in which this petition was signed with that in which a petition of an opposite nature was got up; and observed, that it was not hawked from door to door, nor were any unfair practices resorted to to procure signatures. The noble lord then described the manner in which the other petition was sent about,

and added, that he did not believe the feelings of his constituents were such as had been described, with respect to this question. However, on this as on every other public question, he would act as he had ever acted, without reference to the opinions of his constituents, and do that which his conscience told him was his duty. That his constituents did not find fault with him on that ground, he had reason to believe; but if they did, the remedy was in their own hands, for he would not hold the trust they had reposed in him, longer than they should please to give him their confidence.

Lord *Chandos* said, that the feelings of the freeholders of Aylesbury were decidedly against concession to the Catholics: for out of four hundred resident in the town, upwards of three hundred had signed the petition to that effect.

Mr. *R. Smith* thought the opinions of the freeholders were pretty nearly balanced on the question.

Mr. *Lennard* presented a petition from Maldon, in favour of the Catholic claims. He said, he was authorized to state, that it contained the genuine feelings of those who had signed it. No influence of any sort had been used to obtain signatures. He might say, that the friends of the measure before the House, in the county of Essex, had abstained from making any exertions in favour of it. Petitions in abundance they might have had; but they were content to leave the measure in the hands of the government. They were satisfied with the measure itself, and knew that the government was strong enough to carry it into a law. It had been argued by a gallant admiral, one of the members of the county, that the number of petitions he had presented were evidence of the sense of the county of Essex being against concession. But this was a fallacy. Those who were opposed to the measure naturally sent their petitions to the House; but those who were in favour of it were satisfied with the course taken by government, and had no occasion to send petitions.

Sir *E. Harvey* said, there could be no doubt that the opinion of the great body of the county was against concession.

Mr. *Dick* corroborated this statement.

Mr. *Western* believed, that the feeling of the majority of the county, whether for concession or not, was, that the measures now before the House should be left to the

uninterrupted sense of the legislature. This was the feeling, not only of the higher and more intelligent portion of the county, but of the yeomanry and trading classes. He had two petitions from the county to present in favour of it, and he regretted that he had even these two, and that the parties did not leave the matter to the legislature. He would not enter into the question, but merely observe, that having sat in that House nearly forty years, he had never given a vote with greater pleasure than that which he should give that night in favour of the measure before the House, which he firmly believed would have the effect of effacing from our Statute-book those penal laws which were a disgrace to them. So far from this measure endangering our Protestant establishments, he firmly believed, that no measure that ever passed, since the expulsion of James the 2nd, had tended to give them greater stability.

Mr. *Rickford* expressed his regret, that he had not been in the House when his noble colleague presented the petition from Aylesbury. He was sure that that petition had not been confined to the hundred of Aylesbury. There were not forty Aylesbury names to it. What the feeling of that neighbourhood was, might be ascertained from the fact, that he had presented a petition from Aylesbury, signed by six hundred and eighty householders.

Lord *Mandeville* presented a petition against Catholic emancipation, from the Protestant Dissenters of London and its vicinity. It had been rendered necessary by a petition which had been presented on a former evening, and which purported to speak the sentiments of a majority of the Protestant Dissenters of London. The petition which he had to present was signed by ninety-four dissenting ministers, of whom nearly all presided over large congregations. He mentioned this to prove that the majority of the Dissenters were not in favour of Catholic emancipation.

Mr. *W. Smith*, in answer to the observations which had just been made by the noble lord, begged leave to say, that there was a regular assembly of the Protestant Dissenting ministers of London and its vicinity, which had long been recognized as the representative of the Dissenting ministers of various denominations in the neighbourhood of the metropolis. He meant to say distinctly, that the peti-

tion which he had presented, emanated from a regular assembly of such ministers, convened in the ordinary way; that such assembly was the representative, not merely of the sentiments of the Unitarians, but of the Independents, the Presbyterians, and the Baptists, and that it was a recognized body of very long standing. There might be persons calling themselves Dissenting ministers in London, of whom he had never heard; but he affirmed, beyond all fear of contradiction, that the assembly of Dissenting ministers was recognized as a public body, and that these petitioners might have joined them if they pleased. They had not done so; and therefore he had a right to consider the petition which he had presented as the act of the Protestant Dissenting ministers of London.

Mr. *Trant* said, he had heard with great surprise, and not without some indignation, an assertion which had been repeatedly made in that House, that the great mass of Protestant Dissenters were favourable to Catholic emancipation. Now, as to the Dissenters, he would say, that all sects of them, except the Unitarians, were opposed to this measure for breaking in upon the constitution of 1688. Yes, Jews, Quakers, Baptists, and Methodists, were unanimous in opposing further concession; and he had that morning received a letter from a Protestant Dissenting minister, who was one of his constituents, couched in the strongest terms against these claims. The secret of the society of which the hon. member for Norwich had spoken, and of which he believed him to be the head, was this—that Unitarian influence had of late years obtained the upper hand there. The other Dissenters were in such a predicament, that they were afraid of the influence of that mischievous and not Christian sect [Cries of “hear,” and “no, no”]. That mischievous and unchristian sect had obtained, by their activity and their arts, a dominance in that society, which he trusted it would not long maintain. They had got possession of those charitable funds, which prevented those from asserting their rights who, under other circumstances, would not be slow in asserting them.

Mr. *Moore* presented a petition from one hundred and forty-seven thousand Irish Protestants, against any further concessions to the Roman Catholics. Among the petitioners were to be found many

members of the resident peerage, magistracy, and gentry of Ireland, the mass of its Protestant yeomanry; and last, though not least, the mass of the honest and independent Protestant population. The hon. member, after eulogizing the petitioners as some of the wisest, best, and most independent men in Ireland, proceeded to inform the House, that it was their calm, deliberate, and conscientious opinion, that the evils of Ireland would not be removed, and the dangers which threatened it would not be averted, by yielding to the demands of the Catholics. The petitioners looked forward with dread to the passing of the measure recently introduced into parliament. If carried, it would be received with a spirit of insolent triumph by the Catholics, to which he was certain the Protestants of Ireland would not submit. It would lead to feuds, disturbances, and collisions, which would end in the emigration from Ireland, of the best and most industrious part of its population. For these reasons, as the measure would paralyze the strongest arm of England, the petitioners prayed the House not to grant to the Catholics the political privileges which they had formerly asked as a boon, but which they had recently presumed to demand as a right.

Mr. *S. Rice* denied, that this petition ought to be considered as representing the sentiments of the Protestants of Ireland. As a proof of the validity of this denial, he referred to the declared opinions of the great landed interest, and to the fact, that on the late division against the Catholic question, out of the hundred Irish members, only sixteen voted on the adverse side, and of these sixteen, seven were members of close corporations. He also contended, that the Protestants were as much aggrieved as the Catholics, in being the objects of an odious and impolitic ascendancy. He gloried in this measure, because it would give to England a united, not a divided people, and wrest from bigotry the strong hold of intolerance, which was fatal to the internal peace of the country.

Mr. *H. Grattan* denied, that this petition spoke the sentiments of the Protestants of Ireland, and referred to its signatures as a demonstration of that fact. He showed that these petitioners depended solely upon the power of England to maintain their ascendancy, and they

did not disguise their determination to do so, at the risk of a civil war. He contrasted this petition with the Protestant declaration in favour of civil and religious liberty, and asked any man who looked at both to decide upon their comparative respectability.

Lord *F. L. Gower* acquiesced entirely in all that had been said regarding the loyalty of the Protestants of Ireland; but he begged leave to convey, in a very few words, his simple and emphatic protest against this petition, with one hundred and forty-seven thousand names being considered the petition of his majesty's Protestant subjects in Ireland against the measures now in progress. He was not prepared to tell the hon. and learned member for Dublin who were or were not opposed to the proposed bill; of his own knowledge he could state nothing upon that point; but he was in possession of information, that the petition was coeval with the foundation of the Brunswick Clubs, and that it emanated from those societies. By the courtesy of the hon. and learned member, he had been favoured with a view of the contents of the petition, and it struck him, that its terms confirmed the information he had received. The wording, in fact, was consistent with the origin, and it was especially directed against a Society which, in the teeth of the argument of the hon. and learned member, he must say had ceased to exist—he alluded to the Roman Catholic Association. It certainly was not an inference to be drawn from the petition, that those who had put their names to it were opposed, as a body, to the measures of government, to the declaration from the Throne, and to the advice given by the king's responsible ministers. He was the more inclined to believe that no such inference could be fairly drawn, from the knowledge of a circumstance which had reached him that morning. In one of the Catholic provinces—Limerick—a petition had been proposed at a numerous meeting of the Brunswick Club: that petition was directed against the measures of government; but it so happened, that some of the most influential members of the Club, whose names need only be mentioned to obtain for them immediate respect from every body acquainted with that part of Ireland, refused to sign the petition, alleging, that they had originally met to form a Brunswick Club for self-

defence, under the peculiar circumstances of the country; but that, under present circumstances, they were not prepared to resist the measures of government. Their object was, to protect themselves against the encroachment of the Catholic Association, which no longer had any existence. Into the merits or demerits of that society, he was not prepared to enter; but in what he had said, he begged to be understood as not wishing to impeach the characters or motives of those who had signed the petition about to be brought up, any more than he was desirous of impeaching the motives of the hon. and learned member, which he was sure were as pure as possible. Without presuming to dictate, he might perhaps be allowed to say, that it did happen to be his opinion, that sometimes too subtle a distinction had been taken between those who undersigned and those who understood petitions. He had only risen to protest against taking the petition as that of the Protestants of Ireland generally, against the measure now in agitation.

Sir *R. Inglis* said, he had a number of petitions to present against further concessions to the Roman Catholics, from different parts of England and Scotland. They were petitions which, not to speak disparagingly of other documents of a similar nature, were not cast in a common mould, but expressed the unbiassed feelings of the people on this important subject. The hon. member proceeded to enumerate the petitions, and amongst others mentioned that one was from the clergy of the archdeaconry of Bath; and had attached to it the signatures of fifty-seven clergymen; another came from the Presbytery of Linlithgow, and expressed an opinion, that the first inroad on the constitution would be attempted by means of an attack on the Established Church of Ireland; and added, that though the petitioners were Presbyterians, they considered it their duty to support that Church as the bulwark of constitutional Protestantism. Another petition was from the Senate of Ayr, agreed to by a large majority of its members, who had the care of the religious instruction of five hundred thousand persons. After repeating a long list of petitions from Scotland, the hon. gentleman declared it to be his opinion, that a vast majority of the people of Scotland was decidedly opposed to further concessions to the

Catholics. Among the English petitions was one from Knaresborough, which complained of the people of this country being taxed for the support of the Popish seminary at Maynooth.

Mr. *N. Calvert* said, he would not admit that the majority of the people of Scotland and England were opposed to the measure brought forward by ministers. He believed that the great mass of the people did not wish to interfere one way or the other, but left it to parliament to exercise its discretion on the subject. He held rather cheap some of the petitions that had been presented with respect to this question. He himself could obtain petitions on the subject from half a dozen neighbouring villages, and whichever way he pleased.

Lord *J. Russell* thought the hon. member for Oxford went too far when he declared his belief, that the opinion of the majority of the people of Scotland was against the Roman Catholics. He recommended to the hon. member's attention the account of a meeting which had lately taken place at Edinburgh, at which nearly every person, distinguished for intellectual acquirements, wealth, rank, and respectability, was favourable to the removal of Catholic disabilities. He likewise recommended to the hon. member's attention the speech delivered by Dr. Chalmers—a speech containing as excellent a specimen of wisdom and eloquence as he had ever read. In it the reverend speaker stated his opinion, that there were great numbers of contents and likewise of not-contents upon this question; but he added his decided conviction, that the great body of the people were perfectly quiescent with regard to it, and did not apprehend any danger to our existing institutions from the measures now in progress. So much for the sentiments of the people of Scotland; in reference to which he should take Dr. Chalmers's opinion in preference to that of his hon. friend, the member for Oxford. As little could he believe that the majority of the Protestant Dissenters in this country were opposed to the Roman Catholics. He admitted that here, as well as in Scotland, there existed a difference of opinion on the subject; but he felt satisfied, that the majority of intelligent persons among the English Dissenters were in favour of concession. He had lately presented a petition from a body of Dissenting ministers, that bore

out this view of the case. The hon. member had alluded to the propriety of making no further grants for the support of the Roman Catholic College of Maynooth; and he was not much inclined to disagree in opinion with his hon. friend upon that point. If a strong opinion were to be expressed by the people of this country, that it was not right to make a provision for the maintenance of that seminary, he, for one, would feel disposed to yield to it.

Mr. *Huskisson* said, he held in his hand a petition from some of the inhabitants of Liverpool in favour of the Roman Catholic claims. He had every reason to believe that this was the first petition which had been presented to the House from that great and opulent town. When he said, however, that the petition came from a great and opulent town, he should also observe that it was not numerously signed: it, in fact, bore the signatures of seventeen persons only; but those persons were all of that class which, it must be admitted, were most competent and best able to form a correct and proper judgment of the good or evil which might result from the proposed measures of government respecting the Roman Catholics. They were seventeen out of about forty, which constituted the number of the officiating ministers attached to the Established Church in Liverpool and its immediate neighbourhood. They stated, that they were fully aware of the benefits which had arisen to the country from a Protestant government; but added, that, on looking at the present state of Ireland, they were clearly of opinion, that some alteration in the laws imposing civil disabilities on the Roman Catholics would be advisable; and they then expressed their satisfaction, that, under the oath prescribed in the proposed bill, there would be a full security to the Established Church. He admitted that there were many persons in Liverpool who were decidedly opposed to any thing like emancipation; but, at the same time, he thought the larger portion were quite content to leave the measure to the wisdom of parliament. The inhabitants of Liverpool were undoubtedly better able than any other place in the kingdom to judge of what would be beneficial to the Irish people, and he was happy to state that the greater portion of the inhabitants entirely concurred in the measures now brought forward by ministers. He begged it to

be understood, therefore, that, if no petition had been before presented from Liverpool in favour of the claims, it was not because they were indifferent to it, but because they placed entire reliance in the wisdom of parliament.

General Gascoyne said, that his right hon. colleague had mistaken the purport of the petition. So far from being favourable to the claims, it was directly the reverse. The hon. member had, no doubt, been misled by the circumstances which attended the getting up of the petition; and he would explain why another petition had not been presented, which was got up at the same time. The petition now presented was signed at a meeting of thirty-three clergymen belonging to Liverpool and the immediate neighbourhood, and of these, thirteen objected to a petition altogether. These thirteen were subsequently joined by three others before the petition was sent off. The thirteen who first objected were of opinion, that an additional oath should be administered to the Catholics before they were admitted to power; as they had no reliance on that prescribed in the proposed bill. His right hon. colleague had said, that there would be no other petition presented from Liverpool. The truth was, that a petition, signed much more numerous than that now presented, had actually been got up, but was not presented to the House, because it was thought, after the manner in which the proposed measure had been received, that any further petitions in that quarter would be useless. His constituents, however, had addressed a letter to him, expressing a wish that the petition should be laid before the House of Lords, and he had accordingly given it to lord Eldon for that purpose. With respect to the general opinion of the inhabitants of Liverpool, he believed, if the whole of the town were canvassed, at least two-thirds of the population would be found to entertain feelings hostile to the proposed bill.

ROMAN CATHOLIC RELIEF BILL.]

Mr. Secretary Peel moved the order of the day, for the second reading of the Roman Catholic Relief Bill.

Mr. Benson rose, and observed, that as he had not delivered his sentiments upon the question of concession to the Catholics, either in the course of the former discussions, or upon the presentation of a peti-

tion, he should take leave to offer a very few words upon the motion now before the House. It was not his intention to adopt the course pursued by some professional gentlemen, members of that House, who were in the habit of reverting to the constitution, as it existed in the year 1688. It was not, in his opinion, what had taken place in 1688 that they were called upon to consider. They were now in the year 1829; and they were called upon to determine what, under the altered circumstances of the period, was to be done with regard to Ireland. The question, in his opinion, lay within a very narrow compass. They were called upon to do one of two things—to restore peace to Ireland by wise and temperate conciliation, or to put down all resistance and remonstrance by the power of the sword. He apprehended, that there would be little difficulty in deciding which course it would be politic to adopt; for he apprehended there were few prepared to contend, that to answer remonstrance by the arm of the military power, was consistent with the spirit of the constitution. Few, indeed, who recollected the rebellion of Ireland, and those scenes at which human nature shuddered, would wish to renew them, or to see the Protestant armed against the Catholic, and a foreign army called in to increase their animosities, and prolong their dissensions. Whenever he had permitted himself to consider this question, it had always occurred to him, that concession to the Catholics never could be made with advantage, except as an act of the government; and that, however large the majority by which it might be extorted from the government, there would still remain a something calculated to excite disunion and create discontent. He had heard a good deal of securities connected with this question. To him the securities contained in the bill appeared to be quite sufficient; but, if they were not considered satisfactory to the other party, he should like to hear from the opponents of emancipation what were the securities they considered necessary.—Referring to the question of oaths, he had always considered that, in this country, there was great virtue in an oath; and he never could be brought to believe that the honourable, high-minded, and liberally-educated Catholic gentleman could bring himself to approach the table of the House and take an oath, the conditions of which he did not mean

to fulfil, as truly and as strictly as any Protestant in the kingdom. If there were any persons who imagined that there was less security in the oath of a Catholic than of a Protestant, he could tell them, they were not so well acquainted as he was with the principles of those highly-educated and upright Catholic families, from whom representatives might be taken. He thought, too, that a great additional security to the Protestants would be derived from the return to Ireland of those noblemen and gentlemen who had abandoned their properties in the day of dissention, but who would now be induced to return and use their best efforts to perfect that system of harmony and reconciliation recommended by the government, while the Catholics themselves would see the necessity of uniting their efforts for the protection of those rights and privileges with which they were now to be invested. The hon. gentleman concluded by expressing a hope, that however honourable members might feel it their duty to oppose this measure at present, they would, when it had passed into a law, abandon the spirit of resistance, and labour to promote that kindly feeling among the Protestants which must secure a correspondent feeling of gratitude in the breasts of the Catholics.

Sir *Edward Knatchbull* said, he would take that opportunity to state very shortly the reasons which induced him to oppose the further progress of this bill; and he was the more desirous of doing so, because he had been unfortunately deprived of the opportunity of stating his opinions, in the course of the former discussions, by indisposition. If he was a man likely to be influenced by personal considerations in the discharge of his public duties, nothing could be more easy for him than to follow that course which had been once charged against him as an offence, and to give a silent vote upon this question as a record of his sentiments. He felt, however, that there was a duty paramount to every other consideration, and in the performance of that duty, and in the fulfilment of the trust reposed in him by his constituents, he now presumed, humble as he was, to offer a few observations. Without dwelling upon the difficulties in which he, in common with a number of the members of that House, was placed, with reference to the conduct of the members of his majesty's government, whose principles they

had always supported, he could only say, if he might be permitted to allude to himself, an humble individual, that he had always laboured to do that which was right, and to act up to those principles which he professed; and under that feeling, and continuing in that course, he felt it impossible to accede to the measure now proposed by his majesty's government, merely because they had thought proper to change their opinions upon the subject of the state of Ireland. Looking purely to the fact, that they had changed their opinions, he did not see, as a consequence, that he was called upon to assent to what they now proposed. If he had heard any good reasons advanced for the change which was contemplated in the constitution of the country, he, from the respect he felt for the members of that government, and from the confidence he reposed in them, should have been among the first to view their proceedings in the most favourable light; but he confessed, that he had not heard any thing from the right hon. Secretary, or from others, which did not seem rather calculated to evade a reason, than to afford an apology for the alteration of their opinions. There might be secret reasons for the conduct of the government, and he had no doubt there were such; but he, who was not in the secret, could not see any thing in those reasons which were stated to authorise this important concession to the Catholics. He repeated, that he had confidence in the right hon. gentleman and his majesty's government, but that confidence was not great enough to induce him to part with the constitution.

He would now proceed to examine those reasons which the right hon. gentleman had detailed to the House, as having operated upon his mind to produce a change of opinions,—opinions which, be it remembered, the right hon. gentleman declared he had not abandoned, which he professed to hold unchanged, but which he thought it necessary to modify, under the new and peculiar circumstance in which he professed to be placed. The reasons which the right hon. gentleman alleged for the change of his opinions were three—the state of Ireland, the position in which he was placed with reference to the House of Commons, and the disunion which existed in the cabinet. These appeared to him, one and all, to be unsatisfactory. With reference to the state of

Ireland, that was nothing new. He repeated, that Ireland was no more disturbed now than it had been at any former period. He had attended to all that the right hon. gentleman had advanced upon that subject, and he was prepared to prove, that the state of Ireland had been much more disturbed upon many other occasions, than it had been during the past or present year. He was prepared to prove, that the right hon. gentleman had admitted, that discontent and that disturbance, at the very moment he resisted all concession to the Catholics; and if he resisted all concession, amidst all the discontent and disturbance which existed formerly, he must be prepared to prove a much greater degree of discontent and disturbance than he had already done, before he could justify the concessions to the Catholics which he now proposed. Ten years ago the pressure of necessity was much greater; and, according to the right hon. gentleman's reading, the danger was therefore much greater than at present. Without going further, he might refer to the expressions contained in a speech of a noble lord Plunkett, then Attorney-general for Ireland, who, in the year 1822, in prosecuting the unfortunate actors in some of the lawless transactions which then took place in Ireland, drew a picture of the state of society much more highly-coloured than any they had heard from the right hon. gentleman, and declared, that the Catholics of Ireland were united in a body for the suppression of the government. Was there any thing in the state of Ireland now which justified such a description; or had they heard any statements equal to those which were made in the year 1825, when the government called upon the parliament to pass that act for the suppression of the Association, which had expired last year? He contended, therefore, that the right hon. gentleman had totally failed in an attempt to make out a justification for the abandonment of his principles by any reference to the state of Ireland.

The next reason which the right hon. gentleman had advanced, was drawn from the state of the House of Commons. That state, however, of opposition to the views of the right hon. gentleman upon the subject of the Catholic question, had been known to him for some time past; but did the right hon. gentleman mean to say, because the parties in the House of Com-

mons were so nicely balanced, that that was to be made a reason for the abandonment of his principles; or did he mean to contend, that the party which succeeded in defending itself had not gained its point? If the right hon. gentleman had looked at the matter fairly, he would have found, that the division of last year was not so decidedly against him, as that of some former years; and the arguments he drew from that reason were therefore as insufficient as those which related to the state of Ireland. He believed, indeed, that if the hundred and sixty who formed the minority a few evenings ago, had been supported, as it ought to have been, by his majesty's government, the right hon. gentleman would have found himself in a majority upon that question in the present session. The right hon. gentleman complained that he has not been supported by those who voted with him upon this question. Now, he did not expect such a charge on the part of the right hon. gentleman. It was new to him to hear it imputed as an offence in a member of that House, that he sat silent during any discussion which took place in it. He well remembered the discussions which had taken place upon various occasions, and he equally well remembered the time when the right hon. gentleman retired from office, and Mr. Canning became minister. Was it, then, when Mr. Canning came into office, that the right hon. gentleman complained of being deserted? He repeated, he recollected that time well, and he could take upon himself to say, that no minister ever retired from office with so powerful, and so respectable, a body of supporters. Nothing, therefore, certainly excited greater surprise in his mind, than to hear the right hon. gentleman reproach those supporters with having failed in the performance of their duty. The right hon. gentleman, however, said, that even then he was satisfied something must be done to conciliate Ireland. If, then, he was satisfied with the necessity of conciliation, and if he was thus abandoned by his supporters, why did he not consent to lend his assistance to Mr. Canning, for the accomplishment of that object? Mr. Canning was then all-powerful in parliament, and had been the honest and consistent advocate of the Catholics, during the whole of his political life; and the state of Ireland would at that time have afforded the right hon. gentleman a sufficient apology for

adopting such a course. The right hon. gentleman, however, did not think proper to lend his assistance to Mr. Canning in 1827. He did not even think it right to make that concession last year, although he must have been sensible, that Mr. Canning could, above all men, have bestowed the boon of emancipation upon the Catholics with the best grace and with the greatest effect; and that they would have received with gratitude that concession from his government, which from the present government, they regarded as the result of policy and necessity. The charge of the right hon. gentleman, of want of support by his friends, he repeated, indeed surprised him. He should apologize for obtruding his personal feelings on that charge; but he still must say, that it was little expected by him. It was seldom that a member of that House had to apologize for his silence; yet, if he had thought that any thing he could have offered in support of the right hon. gentleman's former line of policy would have lent him the least aid, he would not now be charged with not having spoken; as the right hon. gentleman could not but know. The right hon. gentleman had no right to taunt him and his other hitherto steadfast supporters with having given a silent vote; for he well knew he could command their most strenuous services.

The right hon. gentleman had also remarked on the meeting which had been held in the county which he had the honour of representing, on the subject of concession to the Catholics. There was something ungracious in the right hon. gentleman's allusion; for, in holding that meeting, those who called it thought they were giving the right hon. gentleman their best support. As the representative of that large county he stood in that House; and he would inform the right hon. gentleman, that when himself and his constituents in Kent thought it right to express their opinions on any question affecting the constitution, or their rights, they would take leave to act as they pleased, without consulting the right hon. gentleman.

The next reason advanced by the right hon. gentleman for changing his conduct was the evils consequent upon a divided cabinet. On examination, that, like the preceding reasons, would be found to have neither force nor novelty. Was the present cabinet more divided on the

Catholic question, than any other of which the right hon. gentleman had been a member? On the contrary, was it not much less so? If the noble duke at the head of it had pursued an opposite course to that which he had adopted, was there a doubt that there would be no disunion on the subject? To be sure, a right hon. and gallant member of that cabinet (sir G. Murray) had stated, that though he had never expressed his opinion, nor voted in favour of the measure, he was always a supporter of it. He had no doubt that such was the right hon. and gallant secretary's honest opinion; but it was not too much to say, that as he had not expressed it, and as he always believed that the measure would only be successful when brought forward by the government, he would not create a disunion in the cabinet by his single opposition, if the noble duke had determined on refusing concession. The present constituents of the cabinet being considered, the argument of a divided administration on the Catholic question fell to the ground. The case was different when the right hon. members for Liverpool and Inverness-shire, and the noble member for the University of Cambridge (Mr. Huskisson, Mr. C. Grant, and Lord Palmerston) formed part of the administration. Then, indeed, the argument might have some weight; but when, through some unfortunate mistake, they retired from office, and the noble duke had filled their places with men selected by himself, he thought the argument of a divided cabinet was at an end. Those grounds, then, he thought, did not justify the charge of the right hon. gentleman; and, without pretending to say whether consistent with the course pursued by hon. members, in his mind did not touch the question. He repeated, he had heard no new reason to induce ministers to act as they had done, however consistent their present conduct might be with the opinions their opponents had maintained, and the right hon. gentleman had contended against. Upon this point, he could not help referring to statements made on a former occasion. It was asserted by the hon. and learned member for Winchelsea, not then present, that the question was strictly political, and not at all a religious one. He was not surprised at that declaration, as coming from that hon. and learned member; for it was consistent with the opinions he had al-

ways advocated in that House; but, the case was very different when the declaration was considered to be made by the right hon. Home Secretary.

That right hon. gentleman had, as he and other hon. members had, contended, that the question was altogether a religious one; for that if there were nothing in the doctrine of the Roman Catholics incompatible with their admission to political power, there certainly was nothing in their conduct as subjects. The objection was to the religious tenets, not to the political conduct, of the Catholics. Their admission to the civil advantages of the constitution was founded on the incompatibility of their religious opinions with the safety of that constitution. That was the line of argument hitherto maintained by the right hon. gentleman. Indeed, not many months ago, in 1828, the right hon. gentleman had laid down explicitly, as the ground of his hostility to concession—"Can I leave out of the account," said the right hon. gentleman, in the very last session of parliament, "the pernicious tenets of the Roman Catholics, fraught as they are with evil to the institutions of civil society?" But now the question was altogether political with the right hon. gentleman. He, however, begged leave to tell him, that with a large body of the people of this country, the question was exclusively religious. In making that declaration, he did not mean to argue that the Pope was anti-Christ, nor to enter into the lists with the hon. and learned member for Winchelsea, as to the question being wholly political, or partly religious; all he meant to state was, that a large body of the people of England considered it to be an exclusively religious question. That they had some grounds for considering it so, he thought there would be little difficulty in showing. What did Dr. Doyle say? Speaking of the Catholic church, he says, "these are the considerations which attach us to the Catholic church, without the authority of which it would be impossible to prevent a variety of opinions amongst different persons, and the several classes of men—without that authority, it would be impossible to keep men together in one large and extensive religious communion. What was there to guide and restrain the opinions and feelings of the ignorant and stupid of mankind, but the authority of the church?—what was there to prevent us from fal-

ling into heresies and schisms, but that authority?—what was there to prevent us from relapsing into those paths of error from which Christ has rescued us, but that authority?—what was it that kept us up to this day in Ireland free from those frantic opinions and wild vagaries on the subject of religion, with which the other parts of this empire are inundated, and which have split the people there into numberless sects, but the authority and coercion of the Catholic church?" These were the opinions of Dr. Doyle. That prelate wanted but the civil power of the state, to attempt to coerce the Protestant people of these countries into a servile submission to the doctrines and tenets of the Church of Rome. Where were the securities which they would give them against such spiritual interference and domination? for surely it was not to be maintained, that the paltry securities afforded by the present bill were sufficient for such a purpose. He would repeat, what he had said, that there was nothing in the private character or conduct of the Roman Catholics, which would prevent him from admitting them to political power: he warred not with the men, but with their principles. He objected not to their character, but to their religion. He firmly believed that the Roman Catholic religion and the Protestant religion could not co-exist together upon an equal footing. He was firmly convinced that "of these two religions"—to use the words which had been employed by the right hon. secretary himself on a former occasion—"one or other must have the ascendancy." These were the very words of the right hon. gentleman himself on a former occasion, when he opposed those measures of which he was now the advocate.

There was another point of view in which this question had been argued, and he would say unfairly argued, by the supporters of concession. In the course of this discussion they had been told, that if they were not satisfied with the course which had been adopted by his majesty's government, it lay with them, the opponents of this measure, to tell them what they ought to do? Why should they be called on to tell his majesty's government what they ought to do? If the government were wrong, did they require a monitor to advise them, on a question of such vital importance to the state? and if they were right, why did they call for

suggestions from any side, or any quarter? It was rather a new state of things, that with regard to the Catholic question, the executive government should call for such an opinion from them. He was not at all aware that it was incumbent on them, the opponents of the measure, to answer such a question. He would beg to remind the House, that the right hon. secretary and his colleagues, who put such a question to them, had come down to the House with a measure already prepared for them—they had come down to that House, which was said to be a deliberative assembly, and had told them, that the measure which they had prepared for the purpose must be accepted, or that the country would be plunged into a state of civil war. If it were actually proved, that the country was in such a situation as had been described by the right hon. gentleman, they, the opponents of this bill, could only answer the right hon. gentleman's question in one way; but before they returned him that answer, it would be necessary for him to afford a little more proof as to the actual state of the country. For his part, he believed there was no more chance of a rebellion in Ireland at the present moment, than there had been for several years past. They were now asked, what ought the government to do? If that question had been put six months back, they would have been then in a different situation: they would have been more competent now to return an answer, and it was only fair that so much time should have been given them for deliberation and reflection. If the government had not taken the country by surprise, they would now have a proper answer to their question; and he would tell the right hon. gentleman, that under such circumstances he should probably have been disposed to go a great deal further than many of those gentlemen around him, and should very likely have been disposed to withhold nothing from the Roman Catholics but seats in parliament. He was perfectly well aware, that such an arrangement would never satisfy the advocates of the Roman Catholic question, nor the Roman Catholics themselves. He was perfectly well aware, that agitation would still be kept up—that they would still continue to hear of division and disunion, and that there would be still, to use the language of the right hon. secretary, a Catholic question

in Ireland [hear, hear]. Would any one say, that if the present measure were carried, there would not still be a Catholic question in Ireland? He conceived that the right hon. gentleman had taken a wrong course for putting an end to the Catholic question in Ireland; and he would add, that the right hon. gentleman, in the course which he had adopted, had taken the House and the country by surprise. That fact was beyond dispute, and he was sure that any gentleman on that side of the House, who would place his hand on his heart, would be obliged to declare, that the measure which had been brought forward by the right hon. gentleman was a great deal better than any that the Catholics could by possibility have expected, and a great deal worse than the Protestants had ever been led to anticipate.

There was another subject upon which he wished to offer a word. Much had been said respecting the Coronation Oath. He would not now pronounce an opinion on that subject. All he would say was, that there was a strong opinion prevalent out of doors, that the Coronation Oath stood directly in the way of the head of the government giving his consent to the passing of this measure. That opinion was materially strengthened, in the minds of the people of this country, in consequence of the opinion which had been expressed by his late majesty on the matter, and the decided and unequivocal terms, in which that opinion was declared. How that question would now be decided, he would not take upon himself to say; but he could not avoid remarking, that there was a time when that question weighed strongly upon the minds of many members in that and the other House of parliament. But he would ask them for a moment to consider the painful situation in which the Protestant monarch of this country might be placed by the removal of those barriers which stood in the way of the acquisition of political power by the Roman Catholics. He for one had considered that point deeply: it had weighed strongly on his mind; and he only wished that it had weighed strongly on the minds of his majesty's ministers. He would say for himself, that if they were to have a Protestant monarch in future, God forbid that he should be surrounded by Catholic councillors! True it was, that the lord chancellor of England must still be a Pro-

testant, and no doubt the Protestant church would continue to enjoy safety and protection at the hands of lord Lyndhurst, the present chancellor. But then the first minister of the Crown might be a Catholic. There was, to be sure, some mighty contrivance, by which a commission was to be established, in order to prevent the premier minister of the Crown from disposing improperly of the church patronage, and under that act, at all events, the minister of the Crown would be enabled to give them somewhat more information than they now possessed as to the disposal of that patronage.

There were other parts of the bill upon which he felt disposed to dwell, were it not that he had already detained the House too long. He felt, in common with a large portion of his countrymen, the great importance of the measure now under consideration, and he must confess that he was not able to view that measure without great dismay and consternation. If, however, it should pass into a law, there was no man who more anxiously desired than he did, that it might accomplish all the good which was anticipated from it by its votaries and advocates. But as he firmly believed that it would never effect such good, he should give to it his most decided opposition. Much had been said here and elsewhere as to the prospects of parties and a dissolution of parliament; but though he differed with the right hon. gentleman on this question, he still felt that he might again be placed in the situation which he always occupied in that House, and it was not therefore likely that he should be disposed to give utterance to any opinion against ministers which was the mere ebullition of temporary violence or feeling. At the same time he was compelled to say, that in consequence of the course which had been recently adopted by the right hon. gentleman and his colleagues, a feeling of great distrust had been created, as to the conduct and motives of public men. The right hon. Secretary might endeavour to explain the consistency of that portion of his conduct which he would take the liberty to say, appeared to him to be utterly inconsistent and at variance with his former political life: that explanation might be attempted by the right hon. gentleman, but that confidence which had been hitherto accorded to public men had received a blow from which it never would

recover—" *Nusquam tuta fides.*" A general feeling of distrust pervaded the minds of all men on this subject. The character and reputation of public men were of the highest importance to the state; and it was therefore to be regretted that in consequence of the course which had been recently adopted, public men would be henceforward viewed with a jealous and suspicious eye by the nation at large.—He had stated the grounds upon which he opposed the present measure: he opposed it because he did not think it pregnant with those advantages which its advocates anticipated from it. If it should pass, he for one would do all in his power towards accomplishing those effects which the promoters expected it to produce; but as he did not think that any good effects were likely to flow from this measure, he felt it his duty to give it his decided opposition.

The *Chancellor of the Exchequer* said, that he stood up under circumstances so peculiarly similar to those of his right hon. friend beside him, to address the House, that he trusted that his hon. friend who had just sat down would pardon him while he entered into a somewhat detailed reply to the speech of that hon. member. He did not rise to complain of the course which his hon. friend had thought proper to pursue on this subject. He was firmly persuaded that his hon. friend had been actuated by the most conscientious conviction of the propriety of the course which he had adopted. In return, he would only ask of his hon. friend to allow to him and his right hon. colleagues, the same sincerity of opinion, in adopting the course which they were at present pursuing, and to give to them the same measure of justice which they were ready to accord to himself, in reference to the line of conduct which he had now adopted. He should regret much that the measure which ministers had felt it their duty to introduce into that House should induce his hon. friend to withdraw his confidence from them; and he should regret still more if it were the occasion of giving rise to a feeling of distrust in the conduct of all public men. They could console themselves, however, by the reflection, that they had been solely influenced in the introduction of this bill, by conscientious motives, arising from the exigency of the measure, and the necessity of adopting the course recommended from the throne;

and they could further console themselves by the reflection, that the period was not far distant when the advantages of the course which they were now pursuing would be so apparent, that even the hon. member himself, actuated by that sincere desire which he had always displayed to promote the interests of the country, would be the first to retract the opinion which he now expressed regarding the course adopted by the government, and to congratulate the House and the country upon the peace and tranquillity which it had produced.

His hon. friend, the member for Kent, had fallen very much into the error which had been exhibited on the part of many hon. gentlemen who had preceded him on that side of the question. The hon. member did not deny that there was something in the circumstances of the country at present of peculiar danger: he admitted that this was a period of great difficulty to the state, and to the government; but, like the other gentlemen who had preceded him, he forbore to point out the course which he would recommend for adoption at the present crisis. His hon. friend had attempted to defend himself against this imputation, and had stated his reasons for not complying with that expectation; but he was convinced that those who had heard the arguments which his hon. friend had brought forward, must have perceived that they were utterly inconclusive, as far as regarded the subject matter of the present discussion. The hon. gentleman had asked, whether it was not the duty of the government to come down to parliament with a measure for its adoption, instead of asking for advice as to what course they ought to pursue. He would just beg leave, in reply, to put it to the hon. member, whether the course adopted by the government in this instance had been similar to that line of proceeding of which he complained? On the contrary, they recognized dangers, from the existence of which they had arrived at the determination that now was the period when, for the safety of the empire at large, the Catholic question ought to be settled. They had now arrived at a decided opinion on this point, which was the more entitled to credit, as it was at complete variance with the opinions which they had formerly entertained on this question. They had brought forward the present measure, feeling that it was necessary for the security

and tranquillity of the country; and when his hon. friend opposed this measure, he would say to him, that if he admitted the dangerous circumstances in which the country now stood, and if he refused to assent to the measure now under the consideration of parliament, he should be prepared to advise the adoption of some other course, more perfect and better adapted for meeting the exigencies of the existing crisis. It was upon that principle that they had called upon that hon. gentleman to state his opinion on the subject; but the hon. member had fallen into the error which had been committed by so many of those who had gone before him; he totally overlooked that point, and addressed himself to matters of comparatively minor importance, while the whole strength of his argument, if it possessed any, went to prove, that the course which had been pursued by government, if not the most perfect or unobjectionable, was at least one for which it would be difficult to find an adequate substitute.

His hon. friend had stated, in the course of his speech, that the question now before the House was not a political but a religious question. Now, in all the arguments which he (the chancellor of the Exchequer) had, on different occasions, addressed to the House on the subject, he had never maintained that this was a religious question. He had always stated, in the discussions on this question, that it was for the House to consider how far the character of the Roman Catholic religion was such as to render Roman Catholics admissible to political privileges. He had uniformly argued, that there were considerable difficulties in the existing state of things, and that it was possible that those difficulties might arrive at such a pitch as to leave them no alternative. Hitherto he had always asserted, that they had but to make their choice between two evils; and, on former occasions when this question was discussed, he considered the complete exclusion of the Catholics a lesser evil than their admission to political power. If on the present occasion he took a different view of the subject from that which he then took of it, the considerations which had induced him to do so would be found completely to justify the line of conduct he had adopted, in company with his right hon. friend near him, in bringing forward the measure now before the House. He should not enter on a detail of the politi-

cal evils which had impressed on his mind the absolute necessity of that measure; nor should he destroy the effect of the able and eloquent speech of his right hon. friend, by attempting to describe, after him, the evil consequences arising from a nicely-balanced parliament, and a divided government; but he could not avoid offering some remarks upon some of the objections which had been raised by the hon. member for Kent, against the arguments that had been adduced by his right hon. friend on that occasion. That hon. member said, that he saw nothing in the state of Ireland, at the present moment, different from what had been observed there for many preceding years—that there had been no great increase of crime, or outrage, or of those general combinations which so frequently displayed themselves amongst the peasantry of that country. The hon. member cited the period of 1822, and had referred to a speech of the then Attorney-general, lord Plunkett, to prove his assertion. But, did his hon. friend recollect the occasion on which that speech was delivered? The Attorney-general had prosecuted certain individuals who had been guilty of a great offence. They had combined, under the sanction of an illegal oath, for the purpose of destroying Protestant property, and sacrificing Protestant life; and his right hon. and learned friend, who was then Attorney-general for Ireland, represented the evils of such an abominable institution, and called upon the jury, before whom the prisoners were tried, with all those powers which so peculiarly belonged to him, to visit them with that condign punishment which was so justly due to their crimes. That limited evil, he believed, no longer existed; but it had been succeeded by other and greater evils in the political state of Ireland. The hon. member for Kent said, that no change had taken place in the circumstances of Ireland. It was perfectly true that crimes and outrage did not so generally prevail in that country now; but was the hon. member ignorant of the increased exasperation of party feelings and party prejudices in that country?—was he aware of the fact, that in Ireland, at the present moment, the whole frame of society was disturbed by the political differences of contending parties—that each man was arrayed in hostility against the other, and that it required the interposition of a military force

to preserve the peace and tranquillity of that country? He could assure his hon. friend, that the present state of Ireland was far different from that which it presented at the period to which he had directed the notice of the House, and that it was such as to demand the serious attention of the administration of the country; not merely for the purpose of punishing those who might have offended against the laws, but if possible of removing the causes which had led to such a state of things. Even admitting, with the hon. member for Kent, that there was nothing new in the state of Ireland, did that hon. member think that there was no danger in an evil which was continually increasing? Did he see no increase of the danger in the continued progress of the disease during a series of years? Did he perceive no additional danger in the prospects that presented themselves from the progression of that disorder until it had reached every individual in the country, and had well nigh broken up the very foundations upon which society rested? If the hon. member would admit that, in the progress of the disorder, there might be cause for additional alarm, he imagined he would also admit that the evil had at length reached to such a pitch as to require the most serious attention of the government, and imperiously to call for the application of some remedy.

But the hon. member contended, that this was a religious question, and he quoted from the speech of his right hon. friend beside him, the statement, that one or other, the Catholic or the Protestant religion, must have the ascendancy. On that point, he entirely concurred with his right hon. friend; and he would say, that that was his justification for the course which he had adopted in reference to this question. He would unhesitatingly assert, that the measure which had been recommended from the Throne to parliament, had mainly for its object to make the Protestant religion the ascendant. It had been his fortune to have been intimately connected with the established church in Ireland. He had been an observer for some years of the actual circumstances in which that church was placed; and all those circumstances had strongly impressed on his mind how necessary the proposed change was for that church and religion at the present moment. The state of parties was such in that country, that

some change was absolutely necessary. If his hon. friend, the member for Kent, were aware of the position in which the established church of that country at present stood in regard to the Roman Catholic population, he would at once admit, that some great measure like this was necessary, even for that establishment itself. The Church of Ireland occupied a peculiar situation. It was the religion of the minority of the people; the great majority of the people professing a different faith. Up to rather a recent period, harmony and good-will prevailed amongst the professors of those different creeds. But there had lately arisen in that country a combination, which extended itself throughout every class of the Catholic community, with an organization unexampled in other countries, or amongst other political societies, and whose principal hostility was directed against the established church. The support of that church mainly depended on the purity of its doctrines, as evinced in the character and conduct of its professors; also on the good-will and affections of those from whose religious opinions it dissented; and it depended further upon the uniform and steady support of parliament, and of the Protestant government of the country. He had the pleasure of knowing a great number of the clergy belonging to that church, who resided in Ireland. When he first went to Ireland, he could truly state, that the clergy of that church, though placed in a position of considerable difficulty, had succeeded, in a great degree, in conciliating the respect of the Catholics of that country. In many instances he had observed that a friendly and kindly intercourse existed between the Protestant rector of the parish and his Catholic congregation—that the Catholics exhibited towards him the greatest respect—and that they were ready, frequently, to defer to his opinion. It would give him sincere gratification if he were enabled to say, that such a happy state of things still continued. But, by whatever means it had been brought about, they must acknowledge, that an important alteration had taken place in the feelings and opinions of the Catholic population in Ireland, in reference to the established church; and it was certain, that their prejudices and their hostility had been actively excited against that establishment. The change which had taken place between

Catholics and Protestants was obvious to every one; and it was only necessary, in proof of what he asserted, to draw the attention of the House to the productions which emanated from the daily press, on the subject of the church and its revenues, to refer to the laborious efforts which were made to excite a hostile disposition against that church amongst the Catholic population, and to the effects which a continual agitation, carried on upon such a system, produced upon the minds of the Catholic people of Ireland. His attention had been directed to this subject for some time back; and allusions were made to the altered state of feeling amongst the Catholic population, in various letters which had reached him from different parts of Ireland, all complaining, that the Protestant clergy were not now viewed with the same respect by the people as heretofore—that the people regularly combined against the payment of the church dues, and that there existed no hope whatever of securing their affections for the future. Was not that a situation in which it was at least unfortunate for the country to be placed? It was to remedy such an unhappy state of things, that his majesty's government had adopted the course which they were now pursuing. They conceived that the present measure was calculated to smooth down the asperities of party violence, to diminish the irritation, and in a great degree to remove the prejudices of the people, that they could be thus brought again to treat the ministers of the Protestant church with that respect and attention to which their character and virtues so eminently entitled them; and that it was only under such circumstances, that that church could be employed as an important engine in the moral improvement of that people. He took the established church of Ireland to be the means of the moral improvement of the people of that country: he viewed it as the happy source from which would flow those streams that would fertilize and enrich the land. That church had for many years great difficulties to contend against: it had had to contend against the hatred which a difference from its doctrines was calculated to generate, and to counteract those prejudices and that ill-will, which was excited against its professors and ministers. In the petitions which were presented to that House, frequent complaints were made of the situation in which that church was at

present placed. He would call the attention of the House to a petition from a Protestant clergyman, which had been presented a few nights ago to the House, in which it was stated, that the Catholic population of Ireland were united against the Protestant establishment and the Protestant clergy; and that such combination had been most systematically acted upon recently, under the pretence of seeking for civil and religious liberty. A petition to a similar effect had been presented from the Protestant clergy of the city of Dublin. It was obvious that such evils arose from the present state of things. It was true that these and other petitioners prayed for the interposition of the legislature to afford them some more effectual protection than was afforded under the existing state of things. Upon that point he differed from them, and was firmly convinced, that the measure now before parliament was the one best calculated to afford them the protection which they required. It should be recollected, that the Protestant church in Ireland mainly depended on the contributions of a Catholic population. Several laws had been passed to render the collection of the church-rates perfect, and to prevent their evasion: but, latterly, against the collection of those rates there had been formed a combination, not of one or two persons in a parish, but of the whole population. He would read a letter from a Protestant clergyman of an extensive parish in Ireland, which would put the House in possession of some curious facts on this subject. The right hon. gentleman here read an extract of a letter from the Protestant rector of a parish in Ireland, descriptive of the difficulties which were at present experienced in the collection of the church-rates. The writer stated, that the greatest difficulty existed in collecting those rates; that they could only be collected by taking proceedings at law; and that when the subject was brought before the magistrates at petty sessions, they availed themselves of every means which the act afforded them, to decree against the church; that there was no way to procure those rates but by an expensive litigation; that the expense of the repairs of the parish church, which had been made within the last three years, had not as yet been defrayed; and that the salaries of the clerk and sexton remained unpaid. When such was the state of things, was it not

absolutely necessary to introduce some remedy? The indisposition to pay the church-rates arose, not, as the hon. member for Kent might imagine, from a mere spirit of hostility to the established church. That indisposition was produced by the divisions which existed between Protestants and Catholics in Ireland—divisions which the present measure was calculated to remove, and thus the established church of Ireland would at length be placed upon a solid and secure basis. When the state of the community, as it had so long previously existed, was such as he had described, did it not supply a reason for adopting another course—a course which would probably have the effect of harmonizing the public mind?

But, he would ask, did not the church of Ireland suffer also from other causes operating in that distracted country? Did not the church of Ireland suffer deeply from the divisions which prevailed in that island? He was sure, from the observations which he had heard in that House, that the church of Ireland was placed in a situation in which that church ought not to stand, and from which it would be rescued by this measure. He hoped, by the removal of that cause which had so long occasioned disunion and ill-feeling, to reduce men to that moderate temper which would make them willing to listen to the dictates of reason and justice; and he was sure, that, in proportion to their improvement in this respect, they would be ready to give to the clergy a greater degree of support and consideration. He was one of those who looked upon this measure without apprehension. He conceived that it would open the way to feelings of general reform and improvement. These were the effects that he trusted would follow from the labours in which the legislature were at present engaged. They were called on to decide, whether they would bear the present system any longer, or adopt another; even though it might seem to be connected with some remote, possible, and contingent dangers? For his own part, he thought the wiser course would be to adopt that which his majesty had recommended to parliament. That course, it appeared to him, was the best for vindicating the character and the honour of government—that course, in his opinion, was the best calculated for supporting the Protestant Church of Ireland and of this country—

that course was the most likely, as it seemed to him, to keep up the predominance of the Protestant religion. The circumstances in which he was placed rendered it incumbent on him to state what his sentiments were; and the impression on his mind was, that the state of the established church required a change of measures, with reference to this great question, that would beget confidence and disarm hostility.

Mr. *George Bankes* said, he was anxious, at that early period, to state his opinions with respect to the proposed measure. He like many other honourable members, who were determined, so far as in them lay, to support the existing institutions of the country, was desirous to vindicate himself for the part he had taken. There might be some who thought that the opponents of this measure would be overpowered by the struggle which was about to take place; but, whatever obloquy might be heaped on the comparative few whose sentiments he espoused, still he would be found zealously acting with them,—still he would be found content to take his share of the obloquy that might be cast upon them. He repeated, that he was ready to take his full share of that obloquy, knowing that he should be amply repaid by the good-will which was manifested in the general voice of the country. He did not wish at that moment to put himself too forward in debating this question: he knew that it was now introduced to the House, under auspices very different from those which attended it on any former occasion. Those who opposed the measure of his majesty's government, could not conceal from themselves, that the body who were favourable to concession had, in one great name, a tower of strength—a name which he would be the last man to attempt to deteriorate, or of which he would say any thing save that which was honourable: they possessed that tower of strength, which it was impossible to move or to assail, except by the means of supplication and prayer; but, armed with these weapons, those who objected to this measure had still time to approach the throne, where he was sure they would meet with affectionate consideration and paternal kindness. While touching on this topic, he begged leave to say a word as to the manner in which petitions were received and treated in that House. He recollected an hon. friend of

his, on the opposite side of the House, whose character he greatly admired; to have observed, that the extraordinary number of petitions which crowded their table ought to have ensured for them at least an ordinary degree of reception. Now, he was of opinion, that the greatness of the number of petitions laid before the House, ought to have procured for them a more than ordinary degree of reception. He regretted very much, that, when petitions were presented, that sort of scrutiny, which he had so often observed during the discussion of this question, had been resorted to. It might well have been spared on such an occasion. He had examined, with the most scrupulous care, the sentiments which he held on this deeply important question; because, when he found that those for whose opinion he formerly entertained, and did still entertain, a very profound respect—when he found that they had seen occasion, notwithstanding their previous feelings, to alter their opinion, it appeared to him like something almost approaching to presumption to differ from them. He had therefore, most scrupulously weighed his opinions, and he must honestly say, that he could perceive no fallacy in them—he could not perceive that they were, in any respect, founded in error. He had listened attentively to all the gentlemen who had addressed the House on this subject; and he must say, that he had listened with some surprise to the right hon. gentleman who had just delivered his sentiments but he had heard nothing of sufficient weight to induce him to alter his opinion. He had heard the admirable speech which the right hon. Secretary of State for the Home Department had delivered: he had followed, with lively interest, all the arguments with which the right hon. Secretary's strong and vigorous mind supplied him, to account for his having altered a course that he had so long pursued, and to embrace a change which, in many respects, must have been most painful to him; but he confessed, that none of the arguments which the right hon. Secretary had advanced satisfied his understanding.—He might here be permitted to advert to some of those circumstances with respect to the present state of Ireland which his right hon. friend had put forward as the grounds on which his change of opinion rested. He knew that the situation of Ireland was much to be de-

plored; but he did not understand his right honourable friend to say that Ireland was in a worse state than it had formerly been; he did not understand his right honourable friend to assert that it was in a state of aggravated danger, as compared with other years. His right hon. friend admitted, that the evils of Ireland were not evils without remedy. He said, that remedies might be supplied;—but only remedies of a temporary nature. Now his view of the matter was, that the present measure was only a remedy of a temporary nature. There would still be grievances to complain of, after the passing of this measure, if grievance were supposed to consist in distinctions, and above all, if grievance were identified with ascendancy. His right hon. friend said, that this was a bill for supporting the Protestant ascendancy—that the main point that reconciled his mind to the measure was, that it was a bill to benefit the Protestant ascendancy. Now, he could not look at it in that light. He could not fairly consider it as a bill for securing the Protestant ascendancy: but, looking to the pretensions of the Roman Catholics, they might view it as a measure that would assist that body in obtaining the ascendancy. They did not, indeed, at once give up all their rights to the Roman Catholics, but, by agreeing to this bill, they afforded them the first stepping-stone for acquiring every thing they wished for. That this bill would put an end to the complaints of those who were anxious to gain every thing that could be obtained, he did not believe; and, on that ground, he viewed it as merely a temporary measure. The question, then, was, whether any temporary good that might be effected by it was worth so great a sacrifice? He was decidedly of opinion that it was not.—He now wished to make one or two remarks with reference to the observations of the chancellor of the Exchequer, as applicable to the existing state of the church establishment in Ireland. He confessed that he heard the statement of the right hon. gentleman with a considerable degree of surprise. He set out with informing the House of the peculiar situation in which the church establishment was placed; and he expatiated on the very great difficulties that it had to contend with—the whole of which statement he believed to be indisputable. The right hon. gentleman then informed them, that in consequence of

this untoward state of things, the church establishment in Ireland depended on the constant aid and assistance of government. Why, then, let gentlemen suppose a Roman Catholic at the head of the government. What would then be the consequence? Did the right hon. gentleman view the question in that light? He believed that those who proposed this measure did not bring it forward without mature consideration. He believed they had found the best remedy that could be found for the difficulty which they wished to remove; but still it was not such a remedy as he could approve of. To meet any objection, they had devised this remedy—that when the prime minister, happened to be a Roman Catholic, all power connected with the established church should be rested in the hands of commissioners. But who was to appoint the commissioners? Why the prime minister. It was to be sure, declared by this bill to be a misdemeanor of a very high degree for the prime minister to give advice with reference to the disposal of church property; but there was nothing to prevent him from naming those who might give advice; so that, in fact, there was no effectual bar to prevent him from disposing of church patronage. He might here, if it were necessary, define to the House what were the prerogatives and privileges of a prime minister; but that was unnecessary, because a reference to late years would sufficiently show the powers, prerogatives, and privileges of a prime minister; and they could not have forgotten how much in the year 1827 those powers and prerogatives were debated. It was sufficient to say, that there was a degree of influence connected with the situation of prime minister—of which he himself might be ignorant—which led individuals to do as they conceived would please him. Sunshine could not be divested from the sun, neither could that influence of which he had spoken be removed from a prime minister; and if he were known, by report, to have particular opinions, whether he usually spoke of those opinions or not, his power was sufficiently great to induce individuals to endeavour to win his approbation, by flattering, supporting, and carrying into effect those opinions. There were many difficulties connected with this question that were not removed by the provisions of this bill. He was satisfied that if better securities could be found, they

would have been found; for he believed the minds of those who formed the measures were strongly directed to that point. He, however, was of opinion, that the bill contained no security adequate to meet those fears and apprehensions which were entertained by conscientious persons. He was aware that a trifling security was devised for the protection of the Irish church. The Irish Roman Catholic ecclesiastics had, in a very assuming and insulting manner, arrogated to themselves the titles belonging to the dignitaries of the Protestant church in Ireland; and a clause to prevent that assumption was introduced in this bill. But the objection he had to that clause was, that he did not wish to purchase any security of that kind at the price of a violation of the constitution; and why?—because they had already got a security on this head, by law—a security accompanied by infinitely higher penalties than were now given. An hon. member might tell him, that the act of 1781 or 1782 was not now in force; and perhaps he could not argue so well, with respect to Irish statutes, as the hon. member. But, he had looked at the statutes to which he had referred with great care, and he thought that the provision of the acts of 1781 and 1782 bore him out in his statement. It was there set forth—“ Provided always, that no protection in this act contained shall extend, or shall be construed to extend, to any Popish ecclesiastic who shall assume or take any title whatever, or who shall proceed with any insignia to any public place of worship whatever; but that all the enactments relative to such proceedings, which are at present in being, shall remain in force against such Popish ecclesiastics as aforesaid.” Under this provision the Popish ecclesiastics were liable to punishment. Then came the act of 1793; and the question was, whether the act which he had recited was repealed by the act of 1793? It certainly was not repealed in express terms; and it was to be inquired how far, by implication, it might be supposed to have been repealed. But, looking to the recital of the act of 1793, he could not conclude that it was meant to repeal this provision. The 33rd of George 3rd, cap. 92, recited, “That whereas various acts of parliament have been passed, imposing on his majesty’s subjects professing the Popish or Roman Catholic religion, certain disabilities to which other subjects of this realm are not liable,” &c. Now, if

any hon. member could show him that Protestants were not precluded from assuming, unless regularly elected, the title of “bishops”—if it could be proved to him, that a Protestant was not punishable for such an act, then he would admit that there was a repeal of the law. But here disabilities to which other subjects of this realm were not liable, were clearly spoken of; and the assumption, without right, of an ecclesiastical title, was no more allowed to a Protestant than to a Roman Catholic; therefore he concluded the statute of 1781-2 was not repealed. But, the enacting clause of the act of 1793 only went to put Protestants and Papists on a certain degree of equality, by allowing the latter to vote at elections. It admitted them to do that, but it did not permit them to take the titles of bishops and deans. If his hon. and learned friend, the solicitor-general for Ireland, held a different opinion, he must bow to it; but, in his opinion, the act of 1793 did not affect the security given by the act of 1781-2. They all knew that the Roman Catholic ecclesiastics had, for a long time, gone under the titles of archbishops and bishops; but still he believed, that, up to the present hour, the act from which he had quoted was in force. He conceived that his right hon. friend, the chancellor of the Exchequer, had reasoned badly, when he assigned the complaints of the Protestant ecclesiastics of Ireland as a reason for granting concession. It appeared, according to his right hon. friend, that there was a growing determination not to pay tithes, and a growing disposition to show no regard or respect to the clergy; and these circumstances were adduced as proofs of the necessity of granting these claims. Now, he could not see that circumstances like these should, of all others, force them to proceed to acts of legislation of a very critical character. His right hon. friend, the Secretary for the Home Department, had dwelt on two topics, which deserved, as he stated, very particular consideration in deciding on this question. He had examined them, but he could not bring his mind to the same conclusion as his right hon. friend had done. His right hon. friend had, systematically, for some time back, alluded to the discrepancy between that and the other House of parliament, with respect to this subject, and urged it as a reason for agreeing to this measure. Now, it should be observed, that the majority in that House, with respect to

the Catholic question, was very small and fluctuating. It was the result of all inquiry applied to this subject, that the opinions of the House of Commons were very nearly balanced. But, was that the case with respect to the other House? Were opinions there nearly balanced? No such thing. Last year there was a majority of forty-four voices against the Catholic claims. This being the case, was it reasonable to suppose, that the body which had always shown a considerable majority against concession when that House could only boast of a trifling majority in favour of it, would now give way? And, even admitting that there was a decided majority in the House of Commons, was that a reason for supposing that the discrepancy would no longer exist, and that the House of Commons must prevail? Such an assumption did not appear to him to be, in the smallest degree, conclusive. Under all the circumstances he had stated, he must object to this bill. He feared that he must ask leave of his hon. and learned friend, the solicitor-general for Ireland, to introduce the subject he was now about to notice; because he knew that his hon. and learned friend did not like to hear any mention made of the constitution of 1688. But he should not be doing his duty, if he did not strengthen his argument by a reference to what had passed at that great epoch. He would, in words much better than his own, state, by reading an extract from the declaration of the prince of Orange, what appeared to him to be the intention and meaning of those who established the constitution of 1688, and who at that period took into consideration this very question of securities. He alluded to the first declaration of the prince of Orange, published when he landed, and which formed the foundation of the Bill of Rights. He was aware that his right hon. friend admitted that the alterations now proposed were an innovation on the constitution, as fixed at that time, but others thought differently, and he particularly solicited their attention to the following extract:—"It is likewise certain," said the Declaration of the prince of Orange, "that there have been at divers and sundry times several laws enacted for the preservation of those rights and liberties, and of the Protestant religion; and, among other securities, it has been enacted, that all persons whatsoever that are advanced to any ecclesiastical dignity, or to bear office in either university, as likewise

all others that should be put in any employment, civil or military, should declare that they were not Papists, but were of the Protestant religion, and that, by their taking the Oaths of Allegiance and Supremacy, and Test: yet these evil counsellors, have in effect, annulled and abolished all those laws, both with relation to ecclesiastical and civil employments." Again—"They have also followed the same methods with relation to civil affairs; for they have procured orders to examine all lords-lieutenants, deputy-lieutenants, sheriffs, justices of the peace, and also all others that were in any public employment, if they would concur with the king in the repeal of the Test and the Penal laws; and all such whose consciences did not suffer them to comply with their designs were turned out [loud laughter], and others were put in their places [laughter], who they believed would be more compliant to them in their designs of defeating the intent and execution of those laws which had been made with so much care and caution for the security of the Protestant religion." The Declaration having recited various other evils proceeded thus:—"So we now think fit to declare, that this our expedition is intended for no other design, but to have a free and lawful parliament assembled as soon as it is possible. And that the members of parliament being thus lawfully chosen, they shall meet and sit in full freedom, that so the two Houses may concur in the preparing of such laws as they, upon full and free debate, shall judge necessary and convenient, both for the confirming and executing the law concerning the Test, and such other laws as are necessary for the security and maintenance of the Protestant religion." And gentlemen would find the following words, referring to that great Declaration, in the Bill of Rights—"To which demand of our rights, we are particularly encouraged by the Declaration of his highness the prince of Orange, as being the only means for obtaining a full redress and remedy therein." He had said, that he should offer these extracts as something more valuable than could be expected from himself; and certainly those passages were worthy of serious attention. The Declaration showed, that the principles contained in it were not lightly taken up. Whether wrong or right, those who promulgated and supported them attached to them a very high degree of value. These measures were well considered and dis-

cussed, and ought not to be carelessly dispensed with. Two years after, these very penal laws were, by the very same government, and by the very same king, extended to Ireland. The act of the 2nd of William and Mary made the Test Act applicable to that country; and if hon. members would take the trouble of looking to different acts, in the very same reign, they would find a constant recognition of those laws which they were now called on to abrogate. After the very great indulgence he had experienced from the House, he felt that he should not be justified in trespassing further upon their time. He hoped that he had not expressed himself with unbecoming warmth upon the subject. Strongly he had certainly expressed himself, for he felt strongly upon the question; and every sort of opposition which he could fairly and honourably make to the measure he would make.

Lord Castlereagh said, he ought not, perhaps, to have offered himself to the House, when others who had so much better claims upon their attention had not yet spoken; but at the present moment, when the fate of this mighty empire was—if he might be allowed the expression—poised upon this question—when those fetters which had so long restrained the energies and crippled the resources of Ireland were about to be burst asunder, and when the people of Ireland were about to vindicate themselves from the charge of incapacity to receive moral improvement and civil liberty—at a crisis like this, he felt that he should be wanting to himself, unworthy of the position in which he stood, and unworthy of the name he bore, if he could contemplate the possibility of assisting at the sealing of the destinies of his country by a silent vote, or suffer this opportunity, which he hoped would be the last, to escape him, without giving expression to those conscientious feelings in which he had been cradled, and which it was his boast, his pride, his glory to entertain. After the endless, and unhappily for a long time fruitless, tide of eloquence, with which the greatest orators had attempted to swell the channels of public opinion—after that splendid galaxy of talent which had exhausted its powers on this subject—when the views of those enlightened statesmen who were now no more had at length been admitted to be sound and just, and expedient—and when the labours of such men were now about

to be “with surpassing glory crowned,” little could be effected by an humble individual like himself, unless, indeed, it was to attempt to moderate the triumph of the one side, and the too great bitterness of the other, which were both of them calculated to mar the beneficial consequences which must, under any circumstances, result from this measure—he stood there the humble representative of the most Protestant county of Ireland, Ulster. He would not descend upon the blessings they enjoyed. They were happy—they were opulent—they were rich; there was nothing to drive them from their fire-sides—they were grateful, moreover, for these blessings, and they wished that Providence would continue to them the perpetual enjoyment of them. If he were asked—“For what reason is it that you are—that that portion of Ireland is—particularly marked out for those enjoyments; and that you boast yourselves to be, as it were, a peculiar people?”—he answered, the reason was this, they had no restrictive laws—they were oppressed by no restraints; no disabilities had cast a withering blight across their path, and they had learnt from youth to age this lesson—that they were free to do every thing the laws did not prohibit. If, moreover, he were asked, “Are you willing to exchange these certain enjoyments—will you consent to barter this state of happiness for an ideal change?” his answer would be equally brief. It was an old saying, that a man grew rich in proportion as his neighbours thrived; and prosperous, happy, opulent as they were, they had not yet arrived at that degree of happiness which could only be attained under liberally-constituted laws. Besides—and this part of the argument had considerable weight in his mind—could it be supposed that this state of exclusive prosperity would last for ever? Could they fortify themselves, if he might be allowed to say so, in the citadel of their self-contained resources, so strongly, as to be able to turn a deaf ear to the complaints of their fellow subjects, and deny to them the enjoyment of those privileges, in the free extension of which national union and concord, and therefore national strength, existed? It was well worth while to consider if this were practicable; but it was better worth while to consider if it were wise. He confessed that he was totally at a loss to conceive why the Catholics were not equally deserving with

themselves of privileges. They were men like ourselves, animated by the same desires, and possessed of the same feelings and faculties as we were. Would it be said, that they were differently constituted from us?—that they were less patient, less enduring, or less gifted with active virtues than we were? If not, how then had they deserved the sentence of banishment which we had pronounced upon them? How had we acquired the right to pronounce that sentence? Or, which was more to the purpose, if we had the right, and if they deserved the sentence, could we be sure that the sentence could be any longer enforced?—It had been asserted that night—and he confessed he was inclined to agree in the assertion, that this was a political and not a religious question. He spoke under correction, but certainly he had never been able of himself to discover any reason for considering the question as a religious one; and certainly those hon. gentlemen who contended, that such was the character of the question, had not made out the position in any of their speeches which he had happened to hear. He did not pretend to profound knowledge of polemical divinity; but if he did possess such knowledge, he should not come there to rake up and rekindle the ashes of polemical discussions, or raise what he might call the ghosts of arguments which ought to have been long since forgotten, or which if remembered, ought at least not to have been revived in that House, and much less when such a question as this was before them. They had not met there to dispute respecting the tenets of the Roman Catholic church; they were not met for the purpose of entering into discussions upon the intolerance, the bigotry, or the superstition of the Roman Catholic church. These questions had been long since set at rest. Many years had elapsed since they had repudiated the tenets of the Roman Catholic religion, and attached themselves to the venerated, the beloved, the cherished doctrines of the Protestant church. They were not met to talk of the dominion of the Pope, to protest against the supremacy of the Vatican, or to detail the benefits which would result from the suppression of the order of the Jesuits. They were met there to discuss a great national question—to decide whether they should increase their national strength and political power—whether, by grafting the long-lost but now newly-

retrieved energies of Ireland upon the tree of our constitution, they would encourage a generous nation to become our rivals in advancing the interests and the power of the empire, both at home and abroad. If it was conversion that they wanted, they would have ten times more conversion when they had removed these galling and degrading restraints. If they would have strength, it would be increased ten thousand fold, by converting slaves into freemen. If they looked for confidence, it would spring from these perishing statutes. If they wished for happiness, let them remove the causes of misery [hear, hear]. It had been said, that the Protestant church required certain securities—that certain props and pillars were absolutely necessary for the support of that establishment, and there were safeguards and securities, without which its permanence could not be secured. He spoke with all humility, but, at the same time, with all sincerity, when he said, that the church needed no such securities as her over-anxious and injudicious friends declared that she required. The Protestant church was supported by the purity of her doctrines, by the character of her ministers, and by that bright and holy spirit of universal charity which distinguished her; but if the church could not stand upon her own merits, upon the character of her ministers, and upon the purity of her doctrines, then surely she was not worthy of that exclusive station which had been assigned to her. If, on the other hand, the church stood upon the solid rock of true religion, it needed not those disgraceful and disgusting securities which could only be purchased at the expense of the liberties of millions.—He would not enter into the wide range of discussion which a political view of this question opened. If he were to adduce the great authorities which he could bring forward in support of his argument, his task would be endless. There was one part of it, however, to which he must allude. Unless it were denied that Ireland was the weak point of our country, and that the discord and discontent prevalent among the people of that country had been at once the scourge of each succeeding government, and the source of hope to every foreign foe, it must be admitted that to see tranquillity and content restored to the shores of Ireland would remove one of the greatest difficulties of internal government, while

it offered a new barrier to the enemies of our countries. It was reserved for that powerful arm which had sustained this country in a struggle as dangerous as it was appalling—which had wielded the powers of this vast empire—which had burst asunder the bonds with which Napoleon had encircled Europe, and which had raised the highest stone of the pinnacle of England's fame—it was reserved for that powerful arm to add strength and security at home, to the country whose supremacy he had asserted and established abroad. When it was proposed to unite two nations together in the bonds of amity and peace—to ratify and perfect an union which had been hitherto imperfect and unratified—to remove the causes of rancour and heartburning, and to convert national dissension into national strength; who, he would ask, would venture to oppose the good work? The pen of history would be a scourge to them, and, conscientious as their opinions might be, they were not for that the less pernicious. On the other hand, reward and fame would be the portion of those by whom this measure had been brought forward. Their present recompense would be a nation's thanks, and their memory would be famous in after ages. In this country they had nobly earned the approbation of the good, the wise, and just; and when they turned their eyes towards Ireland, they would find that they had won there the affections of a warm-hearted and grateful people.

Mr. *Sadler* rose, and addressed the House, for the first time, as follows:—

Mr. Speaker;—I rise to address this House, labouring under feelings, which would on any occasion be most embarrassing, but which are now painfully heightened by a sense of the unequalled importance of the subject under discussion, as well as by the extraordinary circumstances with which it is connected. A consideration of these, together with others peculiar to myself, may, I apprehend, incapacitate me from addressing you at all. I must, however, attempt it. The cause which demands, and at this moment, all the efforts of the true friends of the existing constitution, shall have mine, however humble, and at whatever sacrifice. I am willing,

therefore, to expose myself in its service, though feelings for which the House will give me credit in first venturing to address it—feelings of proper diffidence, as well as pride, equally prompt me to be silent. I add my humble vote to that faithful band who have resigned the countenance of those whom they have hitherto respected so deeply, and to whom they have adhered so steadfastly; who have surrendered, in the language of many, all pretensions to a share of common sense or of general information; who submit to be branded as a lessening class of intolerants and bigots, from which the ministers themselves have just happily escaped; and, what is still more painful to generous minds, who are ranked amongst those that are as devoid of true liberality and benevolence, as they are of reason and intelligence. Short as has been the time in which I have had the honour of a seat in this House, I have been here long enough to perceive the spirit by which a part of it, and, unhappily, too large a one, is actuated. The spirit of Popery, when dominant—(I beg pardon for any thing so obsolete and illiberal as an allusion to history)—dragged the objects of its resentment to the stake;—that spirit still survives;—its advocates at this moment would willingly inflict on its conscientious opponents a martyrdom still more grievous to generous minds, in aiming at the moral and intellectual character and attainments of those whom they mark out as their victims. All these things, however, move us not. In a cause like that of the Protestant Constitution of England, now placed, for the first time since its existence, in a situation of imminent peril, an humble part in its triumph would indeed give me a share of that immeasurable joy which its rescue would diffuse throughout the nation; but to be numbered as one of those who, faithful to the end, made a last, though ineffectual, struggle in its defence, will afford a melancholy satisfaction, which I would not exchange for all the pride, and power, and honours, which may await a contrary course.

Bear with me, Sir, in thus expressing my feelings: they are those of the vast mass of the British people;—not a besotted, ignorant, bigotted people, as some describe their countrymen to be; but an intelligent, a well-principled, and a religious people—the people of

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England;—men, who intellectually, are as competent to entertain this question as those who attempt to stultify them; and who, morally speaking, are far better qualified to decide upon it than those who malign them, inasmuch as they bring to it the lights of common-sense;—[a laugh]—and, what has lately become a far rarer quality, now also laughed at by many—disinterested principle, and, above all, religious feeling; and who, moreover, are far more removed from bitterness and intolerance in discussing it than those who are perpetually accusing them of being so actuated. It is these views and feelings, Sir, which I would rather present to this House, than weary it with any long and laboured arguments on the general question. But, before I attempt to do either, let me attend for a moment to what is made the apology for this fearful inroad on the constitution; namely, the condition of Ireland. This, Sir, I have heard stated again and again, as the sole reason for the meditated change; and it has been asked this night, and in a tone of triumph, what other remedy can be proposed? I deny, Sir, that the proposition is a remedy;—I deny that the reason is substantial. Protestant ascendancy the source of the disorders of Ireland! Why, Sir, any man who knows any thing of the history of that unhappy country—and I speak in the hearing of many who will correct me if I err;—must be well aware that the state of things now sought to be remedied, and the turbulence and the misery which it occasions, existed in a still greater degree, and produced far more lamentable consequences before the Reformation, when consequently there was only one religion in the country, than at present. Need I go over its history, reign by reign, in proof of this? No; the fact is too notorious to admit contradiction. Again, if it should be said, that the causes of discontent are now changed, I still deny the assertion; and, in so doing, I appeal to the authority of a late right hon. Secretary for Ireland, one who, though no longer in his majesty's government, is friendly to the measure now before us; who, in a speech delivered in this House, and afterwards deliberately given to the public, said, immediately after a recent and sanguinary disturbance there, that “all the commotions which, for the last sixty years, have tormented and desolated

Ireland, have sprung” —from what? From Protestantism? from Protestant ascendancy? No;—“immediately from local oppression.”

Sir, the mischief regarding Ireland is this: Ireland, as it respects its connexion with England, was a conquered country;—that was her misfortune; but it has been our crime that she has continued to be treated as such. Her lands have been wrested from the inhabitants, and given away from time to time to strangers, on condition that they should reside in the country, and plant and support the Protestant religion, and they have deserted both—absentees, who, owning much of the surface of the island, cruelly desert the people by whom they live, and persecute and oppress them by proxy; but who, many of them think to make atonement for their turpitude by a few cheap votes and declarations, sincere or otherwise, in favour of Catholic Emancipation. Of all the delusions which have been so much descanted upon on the opposite side of the House, can any equal this? They consign a population to poverty and idleness, where, to the disgrace of humanity, civilization, and Christianity, there is no provision whatever for the wretched victims of poverty. Into this subject I am prepared to go whenever it shall gain the attention of this House. In the meantime I assert, and will repeat again and again, that the miseries of Ireland, and even its turbulence, do not spring from its Protestant Constitution. Why, it is only a few years ago, since the manufacturing and labouring classes of this country wanted employment and bread, and demagogues told them to seek relief in Parliamentary Reform. In Ireland there is equal distress, and agitators tell the people, that what they want is Catholic Emancipation. These assertions are untrue. The people in both instances, I repeat, wanted employment and bread; and, wrought upon by designing men, they fiercely attributed their distresses to causes, the removal of which, it is my honest conviction, would only perpetuate them. The difference has been that, in one instance, you put the agitators down even with blood-shedding; in the other, you have connived at, if not secretly supported, them. But, Sir, I see in Catholic Emancipation nothing whatever proposed in favour of the mass of the Irish community—that brave, that generous, that long-suffering race, who have

been alike the dupes of the mere politicians in both countries. On the contrary, I observe a proposition, unblushingly made, to rob the cottage of its long-exercised privilege, in order to add new splendour to the Catholic coronet; and this, forsooth, is to calm the country at present, and ensure its future tranquillity! It would do irreparable mischief if it were to effect this. That country never will, never ought to be calm, till the blessings of civilization and the rights of humanity are extended and secured to the lowest ranks of its society. What are you to do with Ireland? Legislate on her behalf, in the spirit of philanthropy; take with you to the task the lights of wisdom and experience;—develop her immense internal resources—hitherto unexplored, and almost untouched;—introduce in behalf of her distressed population a moderated system of poor-laws, the machinery of which the very attempt would create;—diffuse, in spite of priestly domination, the benefits of Christian tuition;—employ the starving people, who are and must be fed, but whose labours you now lose, and whose characters you destroy by consigning them to involuntary idleness and mendicancy;—and finally, while you legislate about and against the poor, dare to touch the culpable and heartless rich, the deserters and enemies of their country; and if they are dead to other and worthier motives, compel them by pecuniary mulcts to repay some of their duties to that society to which they owe their all; duties which they are disposed to pay by words only. Let them thus afford labour and food to a population never adequately employed, always suffering from want, and pushed to the utmost verge of human endurance. These, Sir, are the means, obvious and practicable, though ridiculed by theoretic folly, and resisted by inveterate selfishness, which would, and in no long time, regenerate Ireland, and repay the wrongs of many generations. But, Sir, Ireland—degraded, deserted, oppressed, pillaged—is turbulent; and you listen to the selfish recommendations of her agitators. You seek not to know, or, knowing, you wilfully neglect, her real distresses. If you can calm the agitated surface of society there, you heed not that fathomless depth of misery, sorrow, and distress, whose troubled waves may still heave and swell unseen and disregarded. And this forsooth is patriotism! Ireland asks of you

a fish, and you give her a serpent; she sues for employment, for bread—you proffer her Catholic Emancipation. This, Sir, I presume, is construed to be the “taking into our consideration the whole situation of Ireland.”

Turning, then, at present from the subject of Ireland, where the sacrifice of Protestantism would be a curse instead of a remedy, let us see what is the nature of the proposition, and what would be its effects, as it regards the empire at large. It amounts, Sir, to this—an inroad on the constitution of the country, and a preparatory movement towards its final destruction. Were the claims in question matter of justice, I would concede them and abide all consequences, abhorring, as I do, the principle of mere expediency, as well in politics, as in morals;—sciences which I regret to say, are rarely identified. But as, amongst all the advocates of the Catholics, no man worth attending to has attempted to argue a conventional and conditional, into an abstract and inherent right; so I shall not detain the House by offering a word in answer to those who would present the question in such a form. All the rights the constitution creates are conditional; if this imply disabilities and exclusions, the constitution of England is founded upon them. But they are such as are imposed for the general good, and they have hitherto promoted and secured it. The meditated alteration militates against the letter, and destroys the spirit, of that constitution. It demands qualifications, or, if you please, imposes disabilities, of a two-fold nature, on all whom it calls to serve the public in the legislative or judicial functions; or allows to be qualified for that service. And, first, it demands a pecuniary qualification; and that, not for the purpose of stigmatising poverty—no! this our Protestant ancestors made it their business to solace and relieve, establishing amongst their most cherished institutions a system of national and universal charity. But still, from the freeholders of England, who elect—from the members of parliament who are elected—from the legislature who make our laws—from our magistrates who administer them, and even from our juries who finally arbitrate concerning their application—it demands a pecuniary qualification; and it does so, as I conceive, on very intelligible grounds; because it appeared expedient to identify the autho-

rities of the country with its permanent interests; and again, and more emphatically, because the possession of property was deemed the most general, though certainly not the infallible, evidence of that information and knowledge which are so essential to the due discharge of those important functions which exist only for the benefit of all. It is thus our constitution seeks to embody, not the ignorance and passions, but the wisdom and intelligence of the community. Political radicals seek to do away with this pecuniary qualification; and for reasons which will acquire ten-fold force if the measure before us is suffered to pass. For, Sir, the constitution of England assumes a still more sacred character in demanding, secondly, and hitherto, with far greater certainty and scrupulosity, a moral qualification from all who make or administer, in the higher functions of the state, the laws of this realm. It has not only made Christianity part and parcel of the law of the land, but it has constituted its pure and reformed profession an essential ingredient in the established government; and as long as I am permitted to think that principles are the springs of practice—that Christianity is better than infidelity—that its purest and most liberal form is preferable to its most bigoted and corrupt one—so long,—in spite of the liberalism of the day, which is only another term for that spirit which strikes at the root of Christianity, aye, and in a neighbouring country soon hewed down the tree,—I presume to think it has done so most wisely. I am aware, Sir, of the hackneyed assertion first put forth by Mr. Paine, that we have nothing to do with religion as a matter between man and his God, and I subscribe to it. But that we have nothing to do with religion as between man and man, I utterly deny. To do otherwise would be to disclaim the doctrines of the Scriptures, the dictates of common sense, the experience of the Christian world, the utility of any religion whatsoever. If, Sir, the profession of Christianity in its purest form be the best guarantee for the faithful discharge of the private and social duties, it is much more so in respect to those high and important functions on which the character and happiness of millions depend; and it was thus our ancestors judged and acted in founding and establishing our constitution. Nor was it with a view merely to secure to the country the full

advantage of Protestantism the best and most efficient form of Christianity upon earth; but to exclude Popery—undoubtedly the worst—that they thus decided; identifying the latter, as they had abundant reason to do, with cruelty, tyranny, and arbitrary power; believing it to be detrimental to the interest and morals of the community, and having had full experience as to its tendency greatly to weaken, if not to withdraw, that allegiance which is due to the sovereign power of this Protestant empire. But the moral qualification, now termed “disabilities,” is, it seems, to be sacrificed. And yet lawyers and statesmen without number, tell us this is in perfect accordance with the spirit of the constitution. I have already said, that our political radicals seek to do away with the pecuniary qualification; our religious radicals, for such they are, whatever they denominate themselves, wish to destroy the moral one. They allege that the superior light and information which have dawned upon the Romish faith have changed its character, and made it a fitting alliance for a Protestant king and parliament. But has not the same amelioration been asserted, and far more truly, regarding the unrepresented part of the British community? and yet they were dispersed and put down; their agitators were never listened to; on the contrary, they were forcibly apprehended, tried, and punished. The Popish agitators, however, were tolerated in infinitely more seditious practices, if not actually encouraged, by those who had the power to put them down, in order, as many think, thereby to make out a case for putting down the constitution. But, Sir, the very principle that our ancestors thus happily established, and which has produced such inestimable benefits to this hitherto prosperous country, is now, it seems, to be annihilated—all our securities are to be destroyed, “at one fell swoop!”

The time is come, we are told, when the question must be adjusted. Sir, the adjustment of a disputed question generally terminates in some mutual concessions, some reciprocal advantages: but here the “reciprocity is clearly all on one side.” Will the authors of the measure point out the equivalents actually given in the bill before the House? There are none, unless their promises and professions may be regarded as such, which some of us have learnt now to estimate at their just value. The Protestant faith surren-

dars everything—receives nothing. Even the securities, so much talked of, vanish at last into mere shadows. The measure, we are told, is satisfactory; but to whom? To the most zealous and devoted of the adherents of the Popish cause, in all the pride of its growing demands and insatiable pretensions; and it is moreover accepted as the certain presage of better things to come. But securities! The lord-lieutenancy, an office of pageantry, is, it seems, to be continued Protestant. But what Protestant cares an iota about that, surrounded as the individual holding it will certainly be by Popish advisers. The office of lord chancellor is similarly reserved; but a Roman Catholic may be first lord of the Treasury, exercising, therefore, far greater patronage. The place of the king, as a learned lord expresses it, must, it appears, still remain Protestant; but some bigoted devotee of Rome may conquer his way to the royal presence, be his prime minister, and become “viceroy over him.” But, Sir, this last reservation, I confess, heightens the objection I have to the measure into abhorrence and disgust. What! Sir, after having established by a solemn act the doctrine, that conscience ought to be left free and unrestrained—that disabilities, of the nature sought to be removed, inflict a disgrace upon the feelings of those whom they affect intolerable to good and generous minds—worse than persecution, nay, than death itself—how do you apply it? Why, Sir, you propose to sear this brand high upon the forehead, deep into the heart of your prince,—and to render the scar more visible, the insult more poignant—by making him the solitary individual whose hereditary rank must be so held and transmitted. Freedom of conscience to all subjects, but none to your king! Throw open wide the portals of the legislature that a duke of Norfolk may take his seat in your senate, but hurl from his loftier seat there, the throne of this realm, a duke of Lancaster, if he exercise the same privilege—if he presume to have a conscience! Hitherto, Sir, the British constitution is uniform, fair, equal: it demands the same moral qualification, as I have already observed, from us all. The liberal school have long complained that these essential securities imply slavery; and the ministers, who have adopted their political creed, nevertheless, are content, nay propose, that the king should be the only

proclaimed slave in his dominions. But if the bill should pass, which God avert! if no other and fitter individual should stand up in favour of the then insulted feelings of his sovereign, I will. Whether the exception is introduced to blind the eyes of some, under the guise of a security, or however intended, I will propose, that, amidst this general emancipation, the king shall not be bound—that in the very *acmé* of liberal legislation the king shall not receive a marked insult—that his future religious profession shall be delivered from the taint of this solitary dictation—that his conscience shall be free. I will move, Sir, an amendment omitting that clause. It may be said that the monarch will still have a choice. Certainly. And have those, in whose favour you are about to throw down the ramparts of the constitution—have they at present less?

But, Sir, this measure does not merely affect the feelings and the character—it touches the title of the king? Reverse the attainder upon popery, and the natural consequences are obvious. Proclaim the equal right and eligibility of all religions to all offices of State amongst us, ye emancipators, and remind us of those millions of subjects who demand the declaration and concession, and allude to the scores of millions who back their demand elsewhere, and, the moment the king shall sign a bill to that effect, in what position will you have placed him! While the constitution of the country stands as our revered and not hitherto rivalled ancestors framed it and transmitted it down to us, namely, strictly Protestant, excluding from power (and from power only) the devoted adherents of a cruel, tyrannous, and superstitious Church, nothing can be more clear, consistent, and indisputable than the royal title;—take away that Protestant character, nothing less so. The privileges of Protestantism as hitherto maintained, constitute the royal title-deeds of his august family, that which became the actual transfer of the estate which he holds in parliament and in the country; and in what attitude do his legal and constitutional advisers place themselves who recommend their surrender? No surrender? Who dares urge him to sign an instrument to that effect? It was this very ascendancy, now a by-word of abuse, and which I

observe Mr. O'Connell exults in saying is gone for ever—it was this very ascendancy, I say, which first introduced into these realms the illustrious and patriotic line which now governs us;—which still forms at once the pillar and foundation of the Throne;—which combines its title with the very elements of our constitution;—which identifies it with our liberties;—which consecrates it with the sanctities of our religion;—in a word, which proclaims, by the unanimous suffrages of all our institutions as well as in all our hearts, George 4th as the rightful king of the first Protestant empire upon earth. It is true that the act of Settlement is yet, I believe, to remain;—an act which was with difficulty passed, and passed at last, I think, by a majority of 1 only; by a parliament exclusively Protestant; but it will be, of course, more zealously supported, both as to its letter and spirit, by one partly Papist.

But, Sir, I am averse, for my own part, as a matter of taste, as well as of principle, from resting the royal title, which has hitherto been placed upon the broad foundation of national principle, and supported by all the analogies of the constitution, upon a mere act of parliament, or rather upon a reservation in that act—upon “inky blots and rotten parchment bonds,”—instead of the firm basis of our Protestant constitution. I am therefore persuaded, that, whatever becomes of the legal, the proposed measure touches the moral, title of the king. I feel confident, circumstanced as the succession is in reference to other heirs, whose claims the celebrated Mr. Butler has so plainly traced, that he whom the bill would chiefly affect would feel his generous heart wounded by the situation in which he would then find himself placed, in reference to rights that must morally revive, however weakly they might be maintained and enforced. For these reasons I will, as an humble individual, resist the present measure to the last. I am aware that it is said, that there is no danger where the population is, generally speaking, Protestant. I diffide in this assurance, inasmuch as I am certain that this House no longer attends to the voice of the people on this important point; but, danger or not, Sir, I am adverse from insulting a high-minded and generous prince, by practically

showing him that the principle which seated him on the throne is unjustifiable, and no longer worthy of preservation;—worthy of remembrance only as an obsolete and ridiculous piece of past bigotry; though we will condescend, nevertheless, to support him now he is there. I protest, Sir, against this change. Instead of resting the title of the sovereign upon the universal spirit of the constitution, and folding his royal robe round the throne and the altar, you propose to hang it on the peg of a solitary legal exception or two—insulting in themselves, and dangerous in their consequences.

Such, Sir, is the nature of your principal securities; the right hon. Secretary has indeed said, that the petitions poured into this House, numerous and respectable beyond all former example since there was a House to receive them, afford the best security on this occasion. But he has heard his new friends, night after night, scrutinize those petitions as emanating from poverty, folly, ignorance, and bigotry. Liberal conduct! Where, then, will be this security, when this national feeling shall have been successfully insulted, damped, cried down; when it shall therefore expire in disgust at the manner in which it has been disregarded, deserted and betrayed?

Other reasons, powerful as I think in themselves, and most important in reference to their results, press for utterance. But I will not trespass on the patience of the House by adducing them. I would rather recall to its memory those which have been delivered by the right hon. Secretary of State, accompanied by the consequences with which he so often and so ably connected them—delivered, I say, from his place, which he still keeps, I regret to add, much more tenaciously than his principles. Those arguments, however, have not lost their weight in the country, and he has now the hard task of answering them, of answering—himself. No talents inferior to his own, I speak it sincerely, would be competent to such a task. He can, however, like Hudibras, “Confute, change sides, and still confute.” And his new friends assure him that this is the true, dignified, consistent, and patriotic course.

But, if I wave any further arguments on this important subject, I will nevertheless make a solitary remark upon the extraordinary nature of those reasonings which

are urged in defence and support of the present fatal measure. As those arguments evidently spring from the most opposite views and motives, so are they of the most contradictory kind. Yet still they are all allowed to carry weight, though if they were pressed from one and the same quarter, they would plainly balance and negative each other. It is thus that, in this most extraordinary argument, contradiction itself is allowed to cumulate the demonstration. Thus, one party asserts, and is heard and believed, that Popery has lost its power,—that it has become quite nerveless, despicable, and inert, and *may* therefore, be trusted. Another, on the contrary, says, that its adherents are now so formidable in numbers, and so overwhelming in power, that its claims *must* be yielded. And these assertions also have full credit. One maintains that the spirit of Popery is changed and ameliorated; another, and one far more likely to understand the subject, for it is composed of its adherents, that it is unchanged and unchangeable. One, that the conduct of its professors is so excellent, peaceable, and loyal, that they merit to be admitted into power; another, that they are so united, turbulent, and factious, that it is unsafe to keep them out, and both these opinions also are gospel. One assures us that the admission of Popery into the citadel of the constitution will strengthen the Established Church; another (and it is far stronger than it chooses to avow itself at present), hopes that such admission will lead to that union with other bodies unfriendly to it, which will effect its final downfall. One would think, I say, that arguments so opposite would neutralize each other. But, no! so long as they are urged from different mouths, they are all held irrefragable. In this general attack, the arrows may be shot from different, and indeed opposite quarters; but while they are all aimed at one central mark—Protestantism,—they are the more certain to take effect and bring down their victim, the more varied the positions from whence they are discharged. Into these contradictory arguments, I say, I shall not enter at present; one, however, distinct from them all, and most degrading to the character of the country and the feelings of Englishmen, I shall just allude to. It is this; that England ought to take her lessons of liberality from the surrounding nations. In none of those countries, I not

only assert, but am prepared to prove, is liberty so well understood or so largely exercised, as in this happy country; and yet England, the birth-place of freedom, its assertor, its defender, and its avenger,—the model of all the free institutions upon earth,—and where as abundant a degree of liberty is experienced as is at all consistent with its perpetuity,—I say England is by these gentlemen sent abroad on a sort of Ulyssean tour to learn the rudiments and imbibe the spirit of freedom; a political mendicant, to pick up the crumbs of liberality which fall from the tables where tyranny and superstition have been feasting for generations. But I will not dwell on this degrading consideration; but proceed to observe, that if we object to this change in the constitution of our country in itself, we resist it yet more strenuously in consideration of its certain consequences; consequences which are already but ill disguised by not a few of those who zealously support this measure. That the real liberties of the people will be put in jeopardy, I feel confident; that the United Church of England and Ireland will be placed in peril the moment this bill is passed is quite certain; as has been proved over and over again, by the very men who now support the proposition; it will and must lead to those measures, as sure as consequences result from causes, which will complete its fall. This individual Act may, indeed, recognise its rights; what may the next do, when you have reinforced the ranks of legislation by a number of its implacable and conscientious enemies? The real object of attack, Sir, as has been often asserted here, is the Establishment, or rather its privileges and immunities. The war is commenced, and it is commenced in this place. The first parallel is nearly completed,—it may point diagonally,—another will be marked out in an opposite direction, till the whole will be completed,—meantime the object of attack will be neared, till the gates of the constitution will be assailed, the breach effected, and its ancient ramparts levelled with the dust; and the final triumph will be over the most tolerant, the most learned, and the most efficient religious establishment that any country has ever yet been blessed with. And, Sir, can any man flatter himself, that even when this is destroyed, the long and uninterrupted reign of quietness and peace promised to us by our political soothsayers is to ensue?

No! When this victim has been hunted down, the same pack, which are now upon her haunches, will scent fresh game, and the cry against our remaining institutions will be renewed with redoubled vigour, till nothing be left worth either attack or defence, (if indeed anything will, after this fatal measure is carried),—till all be liberalized. I see, indeed, an oath is to be administered which verbally forbids Roman Catholics who take it from overturning the Establishment; but they must be more or less than men to be enabled to keep such an oath. Totally inefficient as a security, it is immoral in its nature; it establishes a war between words and principles, between oaths and conscience; and which will finally prevail, needs no explanation.

When a number of Roman Catholics, then, shall have become seated in this House, that they shall not feel disposed to lessen the influence of, and finally to destroy a Church which they conscientiously abhor, is absurd. That they should not make common cause for similar purpose with other parties, inspired by similar views and feelings, is impossible; and though I have heard honourable members inveigh strongly against the supposition, the sure operation of adequate motives will bring about this union, and will direct its energies and its efforts against the common object of its hostility—the Establishment. Much, indeed, has been said about the weakness of such a party in point of numbers; but a party acting invariably in unison on this point will, as has been well urged, ultimately carry it, and with it, all others of vital importance. They will form the nucleus of a growing party, to whom the measures of the Crown must always be rendered palatable, and who, consequently, will so far dictate the future policy of the country. Such has been the case in past times; the most important events that have ever occurred in our history have been carried by far smaller majorities than these could form, acting together, and, consequently, holding the balance between the other different parties in the state;—need I instance the Revolution and the Act of Settlement,—deliverances which, if they could have been accomplished at all, could have been secured only by wading to the liberties of England through seas of blood, had not Popery been expelled from the legislature of the country.

But some apologies are made, some reasons given, for these portentous changes,

which I shall briefly notice. And, first, it is said the time is come when this question ought to be adjusted. This the time! Of all the times in which this measure has been proposed this is undeniably the worst, because it is the latest. On many former occasions, Sir, when the present Ministers opposed this measure, the concession would have been accepted as a boon; it will be now sullenly taken as the recovery of a just but long-disputed debt; one insultingly withheld and at last reluctantly discharged. Then it would have dissolved millions into gratitude, and made a deep, if not a lasting, impression on their hearts; now it is regarded as an extorted right, conceded as a choice of evils, and will be estimated accordingly. It will, I know, be accepted; but it will derive its chief value from being the certain means of forcing fresh concessions, all of which might now be named, and none of them, I am persuaded, will be long withheld, notwithstanding the new pledges of those who have so nobly redeemed their old ones. I say, Sir, the present is the worst of all the times in which the measure has been hitherto proposed for passing this Bill of Relief, as it is called. If it be a measure just in itself, and safe in its consequences, it ought to have been granted from the first; and, I repeat, ministers are deeply responsible for not conceding sooner, if they meant to surrender at all.

Aye, but we are now told that there was previously a divided cabinet on this particular measure, and that it could not, therefore, be carried. Here, however, the reply is still plainer and more forcible. Never was there so superficial an excuse put forth. Divided cabinet!—Who were they that caused the division in the preceding cabinet but those who now complain of it, and who, as it appears, will suffer none to serve their king or country, but such as approve their altered plans, and change at the word of command! And is it for the present ministers to talk to us about the government being previously divided upon this question as the only obstacle to its adjustment; those who, less than two short years ago, were so strictly and conscientiously devoted to the cause for which I now humbly contend, as to refuse to serve with one even favourable to emancipation, and who, therefore, deserted the king in a body, painful as it no doubt was to them, rather than do so. But, Sir, are all the long and laboured

explanations by which this fact is attempted to be concealed or evaded worth a straw? Long-winded orations,—“passages, which lead to nothing,” can never set this matter in an honest light before the people of England. They can comprehend it as little as the question of emancipation, on which they are declared to be so ignorant and besotted. They were, however, beguiled by these explanations. I was one of them. I thought the conduct of the noble and right hon. individuals concerned a sacrifice to principle and consistency;—what it was, it is not now worth while to inquire, since it was any thing rather than that. It is now too late to rectify the error; all that remains is to regret most deeply, that, faithfully following those who have so secretly, suddenly, and unceremoniously deserted us, we were taught to regard a highly-gifted individual, unhappily now no more, as one who ought not to serve his king and country as the head of the government, because he was favourable to the measure now so indecently forced upon the country. I do heartily repent of my share in the too successful attempt of hunting down so noble a victim;—a man whom England and the world could not fail to recognise as the ornament of his age; whose eloquence was, in these days at least unrivalled; the energies of whose capacious mind, stored with knowledge and elevated by genius, were devoted to the service of his country. As to the qualities of his generous heart, let those speak to them who felt the warmth of his friendship, which, I believe, could only be equalled by its stability. Had I had the honour of a seat in this House at that time, and could I have anticipated present events, I should have conscientiously opposed him on this vital question it is true; but with feelings very different from those with which I now approach it. This was the man with whom the present ministers could not act—and for a reason which vitiates their present doings. Coupling, therefore, that transaction with the one now before us, if the annals of our country furnish so disgraceful a page, I have very imperfectly consulted them. But peace to his memory! My humble tribute is paid when it can be no longer heard or regarded—when it is drowned by the voice of interested adulation poured only into the ears of the living. He fell; but his character is rescued—it rises and

triumphs over that of his surviving what shall I call them? Let their own consciences supply the hiatus.

One thing, Sir, I cannot but deeply regret, as the inevitable consequence of these strange changes, however they may terminate, namely, the degradation of the character of public men in the estimation of the people of England. Nothing can equal the astonishment with which these tergiversations have been regarded, but the disgust they have occasioned; nay, even where they have been hailed as accessions of strength, they have nevertheless been accompanied by feelings of secret contempt. Much has been said as to the question having been so long before the people of England as to render delay unnecessary. Had it been a much shorter time before the consideration of the present ministers when they rejected it? So sudden, total, and unanimous a change in a matter so long considered, seems not a little singular and suspicious. These simultaneous conversions are really disgusting,—they argue not so much a change of principle, as a total want of principle. I have nothing to do with the motives of men;—their actions however are open to animadversion; and I think I speak the language of plain English honesty when I say, that no power, however formidable,—no promises, however alluring,—no rewards, however great,—should tempt me to such a course. Were I to accept a proffered robe of nobility under any such inducements, I would take a hint from the church whose interests I should then have to espouse, and wear, in the way of penance, a shirt of hair next my recreant skin for the remainder of my life. There is, I admit, such a thing as a conscientious conversion, and I honour it. It is, however, of very rare occurrence, where opinions have been previously well weighed, and long and perseveringly maintained. But there is, Sir, a much more common thing—apostasy! And can the people of England forbear to suspect this to be the case, when they view, with dismay, these infectious conversions, and behold all ranks of men face about as at the word of command? They will, I am persuaded, look no more to the summits of society for their guides on these sacred matters,—to the gilded weather-cocks who may face to-day the pole-star of truth and consistency, and turn their backs upon it to-morrow. No! they will now learn to res-

pect themselves—to know and to feel that true, consistent, conscientious principle, is not to be looked for at the summit, but in the solid base of the social structure, which stands unshaken and unmoved, and keeps its just front facing all the cardinal virtues of existence. Such, taking their principles, as all true Protestants do, from a translated Bible, are not very likely to be shaken; they are immovable amidst those infectious political conversions, which are the scandal of the age and the disgrace of the country. As an instance how deeply these political tergiversations have offended the honest principles of the people, and shaken their confidence in public men, I will just mention what occurred to me during my recent contested election. I solicited one, whose principles I learned were precisely the same as my own, and especially on this vital point. My surprise was great when he peremptorily refused me his vote, and with some heat. He declared, indeed, his warm devotion to the Protestant interest, which I assumed as a fair ground for his support, and I expressed my principles accordingly, and my determination to adhere to them. But he cut me short. “I have done,” said he, “with the pledges, or principles, or promises of public men: they have apostatized—so will you. I will give no vote. David said in his haste—I say deliberately—‘all men are liars.’”

But, Sir, it is these sudden conversions, apostasies,—call them what you will,—which have made up this so much boasted majority, influenced by every variety of motive, and formed of the most discordant materials. The new accessions to ministers may perhaps, however, ultimately embarrass them; otherwise those coalitions must ensue which, notwithstanding their luminous apologists, Englishmen instinctively abhor; and they feel rightly in so doing. Meanwhile nothing can be more ludicrous than the figure some cut in this political *melée*. “Misery,” says Shakespeare, “makes men acquainted with strange bed-fellows,”—so does political delinquency. Who, for instance, would have thought the hon. member for Somersetshire and his late “talented” and astute opponent, Mr. Henry Hunt, would have been so soon yoke-fellows in the glorious cause of Catholic emancipation! and so of the rest. They, however, do agree; and I may add, in the words of Sheridan’s critic, “when they do agree, their unanimity is wonderful!”

But I will make no further individual allusions; the leaders in this wheeling phalanx I have no doubt are honourable men—so are they all, “all honourable men.” One thing I am, however, bound to admit,—those who have long, consistently, and conscientiously supported this question, however mistakenly as I judge, them I cannot but respect;—the triumph at this moment is all their own. They have evidently been the leaders, and far in advance, in this march of intellect;—they it is who have taught the late converts, like one of Molière’s characters, their political vowels at forty. I arraign neither the principles, nor the consistency of the opposition; it is to the new, sudden, and simultaneous converts that I allude, who, moreover, have the warmth of all new converts, and their hatred of all those who remain unchanged. Their zeal, indeed, is of so agitating and intense a nature, that, like the ingredients of a boiling cauldron, it is perpetually overflowing, and scalding all within its reach.

I am perhaps presenting principles and feelings rather than arguments to this House. I meant, I promised so to do when I was sent hither, and I have kept, and mean to keep my word. I know how dear this sacred, this deserted cause, is to the hearts and to the understandings of Englishmen. The principle may be indeed weak in this House, but abroad it marches in more than all its wonted might, headed, in spite of the aspersions of its enemies, by the intelligence, the religion, the loyalty, of the country; and if the honest zeal, and even the cherished prejudices of the people swell its train, thank God for the accession. Nay, Sir, if poverty, whose intermeddling with this question we have again heard insultingly rebuked this night, adds its affecting suffrages to the cause of religion and of God, I glory in its alliance. Poverty “nothing to do with this religious question!”—it has as much to do with it as have any of us who are deliberating concerning it; it has more; its religion is its all! But, Sir, it is an united, it is an universal cause! Here, Sir, that cause may be, like those wasting tapers, melting away; there it burns inextinguishably. It lives abroad, though this House may be now preparing its grave! To their representatives the people of England committed their dearest birthright, the Protestant constitution. They have not deserted it,

whoever have. If it must perish, then, I call God to witness, that the people are guiltless! Their voices are heard, in their numerous and earnest petitions, calling aloud, as it were, for water, to wash their hands from the stain of all participation in this foul transaction! If it is to expire, I say, let it be on this spot,—the place of its birth,—the scene of its long triumphs;—betrayed, deserted, in the house of its pretended friends, who, while they smile, are still preparing to smite;—let it here, while it receives blow after blow from those who have hitherto been its associates and supporters, fold itself up in its mantle, and, hiding its sorrow and disgrace, fall when it feels the last vital stab at its heart from the hand of one whom it had armed in its defence, and advanced to its highest honours.

Sir, I am misconstrued if my last expressions imply any thing but regret in reference to the illustrious individual to whom I have alluded. None ever admired, none still admire the hero of his country more than I do. My heart partook of his first glories, and my humble adherence accompanied him in every subsequent period of his career, even when those who have now begun to adulate him heaped upon him the coarsest insults. To triumph over him, were it in my power, would inflict upon my feelings a pang which could only be exceeded by the downfall of the constitution of a country, whose fame he has so gloriously augmented, and whose greatness, if not existence, he has so nobly achieved. But, Sir, the name of that constitution again raises my mind far above all personal considerations, and I will wave them.—I will detain the House but a few moments longer, but I cannot help adding, that, of all the circumstances attending this momentous measure nothing has so strongly roused the resentment of the people, especially of that large and loyal part of them who have hitherto supported government, as the studied concealment, not to say intentional misleading, with which it has been attended throughout. This may be, and doubtless is, the proper policy when a general has to manœuvre upon an army of enemies; when, however, a great measure has to be carried with the concurrence of the friends of their country, it strikes me that openness, candour, and confidence will always be found the better and more creditable policy.

But the last, and most important consideration I shall present to this House, affects its competency to entertain this question. This House, I say, has no right to proceed in this work of counter-revolution—[disapprobation] no right, I say, to proceed without consulting the people. Send back, then, the question to them, and ourselves with it, and allow them to decide. In preceding elections (the results of which have been most fallaciously appealed to by the right hon. Secretary) it has, as by common consent, been kept from their particular consideration, since to have mentioned it, would have been stigmatized the “No-Popery” cry; and, moreover they confided, in this particular, in the express declarations of his majesty’s government, and determined their choice, therefore, by other grounds of political or local preference. The Protestant constitution, now endangered, was first established in a convention, called for that special purpose; and without as full an appeal, and without equal formality, the people have no right to be robbed of it. I am fully aware of the legal fiction that parliament is omnipotent, but it is, nevertheless, a fiction. The parliament is neither called for the purpose, nor competent to the task, of altering the original framework of the constitution. Supposing, for instance, this House, in conjunction with the other branches of the legislature, were to enact that our seats should be perpetual, and not only for life, but hereditary—where is the man that will assert, that we have a right or a power given to us so to legislate? Suppose we were to agree to abolish the representative system altogether, or to take away trial by jury: I repeat the question,—Where is the man that dares assert that the power of parliament extends thus far? Where are the patriots, who are the lawyers, that challenge for us this right? But as to the Protestant character of the constitution, it is certain that our powers to change this in any degree are still more clearly and intentionally limited. We take no oaths, make no declarations, not to abrogate trial by jury, none not to alter, suspend or destroy the representative system. But we do take oaths, we do make declarations, not to allow Popery an entrance into the legislature. My oath—[a laugh] I hear a laugh! That laugh at the very mention of an oath is the just interpretation of the value of the

security which the advocates of the measure now propose. My oath, too plain to be misinterpreted, has also been taken too lately to be forgotten, however that of others may be. Under these circumstances, neither the established constitution of the country, nor the oaths and declarations taken by us, permit us to assume the right which is now so eagerly sought to be exercised, namely, the right of throwing open the doors of this House to the admission of popery, to the scandal, disgrace, and danger, of the Protestant establishment in church and state. Sir, we have no lawful power for doing this; the people of England sent us not hither for any such purpose; they interdicted us by solemn oaths and declarations from daring to attempt such a course. I am persuaded they will resent it deeply and permanently if we proceed. Let the House, then, beware! Sir, I have but a word more—I should be sorry if it went abroad that I am hostile to the Roman Catholics. I respect the talents, I revere the virtues, I honour the courage, of my Roman Catholic fellow-subjects; and I would not injure the humblest individual amongst them, but still I will protect the character of the Protestant Constitution. Such, Sir, are my feelings, and I am sure they are those of its stedfast and conscientious advocates.

Sir *G. Warrender* next addressed the Chair; but such was the state of the House during the whole of his speech, that scarcely a connected sentence of it could be collected in the gallery. We understood the hon. member to argue in support of the motion, and to contend, that the penal laws were in existence before the Revolution of 1688, and that their establishment formed no part of the constitution as it was then declared; that the only addition to the constitution then made was, that the king must be Protestant; and that the measure now before the House did not, in any degree, touch or alter that arrangement.

Mr. *Fane* followed, but owing to the same circumstance, he could not be heard. All that we could collect of his remarks was, that the country was taken by surprise in the proposition of a measure which tended to subvert the constitution. He regretted that it obliged so many to oppose a government, which they would otherwise wish to support. The hon. member gave, however, his sup-

port to the second measure for the disfranchisement of the Irish forty-shilling freeholders.

Mr. *Bankes* said, that as, at that late hour, it could not be expected to bring the debate to a close that night, he would move that it be adjourned to to-morrow.

Mr. Secretary *Peel* said, he did not rise to offer any opposition to the motion of adjournment, but he thought it would be satisfactory if they could come to some understanding as to the time when the debate should recommence. Four hours and a half had been consumed that evening in presenting and discussing petitions; and, though he had no wish to restrict the presentation of petitions, yet, without such restriction, it would be desirable to fix some hour for the commencement of the debate. He thought that six o'clock at the latest might be fixed; and he was sure it would give more satisfaction to those who were disposed to take part in the debate, if a time were fixed.

Sir *R. Inglis* thought, that the question ought to be adjourned for a week [Cries of "Oh, oh," and of "Hear, hear"]. He repeated, that a week could not be considered too long; for really it was too much that the time for presenting the petitions of the people should be cut short.

Lord *Milton* could not but suggest to the hon. baronet, that if he thought it desirable that the debate should not be resumed at so early an hour,—it was then only twenty minutes past twelve, and the House was not in the habit of adjourning questions at that early hour,—so that if he wished to have a longer time for presenting petitions to-morrow, he might proceed now. Or he would suggest another mode of getting rid of the difficulty. It was not yet very late, and he was sure the House would continue to sit and receive those petitions which the hon. baronet might have to present.

Mr. *Peel* said, he was quite certain that those who wished to have the question discussed would not think six or seven hours were too many to be allowed for it. It was too much, after the time that had been spent in receiving and discussing petitions, to say that the petitions of the people were not attended to. He knew the attempts that were made to stimulate the people on that ground; but he also knew that such attempts would fail. If

hon. members wished to have this question discussed, they would not object that a time should be fixed when the discussion should commence.

Mr. *Bankes* said, that, as far as he was concerned, he had no objection to the course proposed. He would be in his place at six o'clock, and would be desirous that the discussion should be renewed at that hour.

Mr. *Peel* thought that it would be the better course, if the House were determined to adjourn the debate, to adopt the amendment; for if it were fixed for an hour or two from that time, or after one or two other speakers should have addressed the House, many would not be disposed to listen, and many would go. It would, in his opinion, be better either to go on to the end of the debate, or adjourn at once.

Lord *Howick* asked, whether the hon. member for the University of Oxford would say, whether he would assent to the understanding that the debate should be renewed at the hour mentioned?

Sir *R. Inglis* did not know what right the noble lord had to put a question to him in that way. He would tell the noble lord that such a course was unjustifiable. He would not state what he might be disposed to do to-morrow, or whether he could, in the conscientious discharge of his duty, accede to the time mentioned.

Lord *Milton* rose to order. He could not see that the warmth of the hon. baronet was at all justified by the circumstance which had called it forth. The hon. member for Dorset had moved an adjournment, and it was suggested that a time should be fixed for the renewal of the debate. Now, it was well known to persons of more experience in the House than the hon. baronet, that it was a common practice, and for the convenience of all parties, that there should be an understanding as to the time when the discussion should be renewed. If such an understanding was not come to, why it was not too late to go on. The hon. baronet said, he would adopt that course which his conscience should dictate, but it might not be very convenient to leave the question to his conscience, or to what he might think his sense of duty.

Mr. *Wynn* said, it was in the power of the House to come to any determination which might be most for its own conveni-

ence, and no member had a right to resist that arrangement. If the House decided upon a particular hour for renewing the debate, no member had a right to object to that hour when once fixed.

Mr. *Peel* hoped the debate would be concluded in perfect good humour. If it were now adjourned, it was to be hoped that those members who had petitions would present them at an early hour.

The debate was then adjourned till to-morrow.

HOUSE OF COMMONS.

Wednesday, March 18.

ROMAN CATHOLIC CLAIMS—PETITIONS FOR AND AGAINST.] Sir *R. H. Inglis* said, he had last night to present a considerable number of petitions, signed by a large portion of the persons of rank, property, and intelligence in those places from which they emanated, against any further concessions to the Roman Catholics. He had now to present several others of a similar nature. The first of these was from Edinburgh, signed by thirteen thousand persons. This petition would have been submitted to a public meeting of the inhabitants, and the parties with whom it originated would have been satisfied to abide by the result, but, in consequence of an understanding, it was agreed, that if no public meeting of those favourable to concession was called, none would be convened of those opposed to it. Since, then, however, a public meeting of those in favour of concession had been held, and a petition agreed upon, which petition, he believed, would be presented by the right hon. member for Knaresborough. Much had been said of attempts to exasperate the public mind in that city by placards. He had one of those placards now in his hands; and he saw nothing in it which might not be fairly exposed at any public meeting. It only put interrogatively, that which the measure before the House went to enact. It asked the people what they would think of having a popish king, a popish privy-council, a popish parliament, a popish provost, and popish lords of session? Now all these, with the exception of the first, were so far within the contemplation of the bill, that it went to enact directly, that those places, with the first exception, should be thrown open to the Catholics. The only things not contemplated

by the bill, were popish professors in colleges, and popish parochial school-masters. All the offices he had mentioned, the ministers were prepared to open to Catholics, places which he knew it was the opinion of the great portion of the community in Scotland, could only be held by Protestants consistently with the security of our establishments.

The Marquis of *Chandos* said, he had to present a petition from the Protestant Dissenters of the town of Buckingham, praying that the House would not pass the measure now before it. They stated, that they were favourable to toleration, but they considered that giving to Roman Catholics an equality of civil privileges would be subversive of the constitution and religion of the country. While on his legs he would advert to what had been stated last night with respect to the delay that might be occasioned by the presentation of petitions. It was said, that no member had a right to present petitions against the decision of the House, and that the House had a right to fix any time it pleased for the commencement of a debate, without reference to any petitions which might be presented. He would not enter into a discussion on the rules or orders of the House with the right hon. gentleman to whom he alluded, nor would he say that the House had not a right to fix a time for discussion; but it would also be admitted, that every member had a right to move continued questions of adjournment, if he pleased. He did not intend to avail himself of that privilege, nor did he know that it was intended by others; but for his part, he would be willing to sit there till four o'clock in the morning, rather than not have an opportunity of presenting the many petitions which had been committed to his care. He wished to take that opportunity of stating, that when the measure now before the House should be in the committee, it was his intention to move, that the office of prime minister and also those of privy councillors be excepted from its provisions.

Mr. *Wynn* said, he had not stated any thing against the right of a member to present petitions. He had said, and he repeated, that the House had a right to make any arrangement for its own convenience, as to the time when any particular business should commence; and

that no member had a right to disturb such arrangement by the introduction of any other business. It was true, that every member possessed the right to move successive questions of adjournment. That right was given to prevent any unnecessary haste, and it was accorded with the understanding, that its exercise should not be abused, so as to put a stop to the business of the House. Like all other rights, it might be abused, and if it should, it would be absurd to suppose that the House did not possess the power of restricting its exercise.

Colonel *Sibthorp* presented a petition from Market-street, in the county of Lincoln. The petitioners, he observed, looked with horror on the measures now before the House, tending as they did, in their belief, to the subversion of the Protestant establishments of the country. He was glad to hear what had fallen from the noble marquis on the subject of petitions, and he had listened with some surprise to the opinion on the same subject, that the House had a right to prevent any member from presenting petitions from the people. He had yet to learn, that the petitions of an insulted people were not to be considered public business, as much as any other matter that might come before the House. Seeing the hon. member for Tamworth in his place, he would avail himself of his presence to say a word on the subject of a petition from that place against emancipation, which the hon. member had presented on a former evening. The hon. member, in presenting that petition, had said, that no members of the corporation had signed the petition, because they did not concur in its prayer. Now, he could state, on the authority of many members of that corporation, that they had not signed it because they did not think it was sufficiently strong, to express what they felt against the measure of emancipation. He had a petition to present from that town, signed by the bailiff, and five members of the corporation, and by three hundred and forty-nine of the inhabitants, which would show how strongly they felt on this question.

Mr. *W. Peel* did not think that any of his constituents had any reason to complain of what he had said, on presenting the petition in question. He had stated, that it was most respectably signed; but it did not detract from that respectability when he added what he knew to be the

fact—that there were some members of the corporation who would not sign it, because they were willing to leave the matter entirely to the wisdom of parliament. He could show this to have been the fact from several letters which he had received on the subject from his constituents. He would read one sentence from one of them, a member of the corporation, who had formerly been opposed to concession to the Roman Catholics. It said—"Many of us here are hearty emancipators, of which number I avow myself; and I trust, that measures which are calculated to effect so much good, will not be defeated by opposition." Another member of the corporation, who had not changed his mind on the subject, said—"My opinion is the same as before; but still I would sooner that a measure, with proper securities, should pass, than we should risk a civil war with the sister kingdom, by which our alliance with her may be broken." Now, with such communications addressed to him, was he not justified in saying, that some of his constituents were disposed to leave the matter to the wisdom of parliament?

Mr. *Ward* hoped he should be permitted to trespass on the indulgence of the House for a short time, whilst he corrected a misconception of what he had said upon a former occasion. On that occasion he had not been prepared to address the House, and perhaps might not have expressed himself as clearly as he could have wished. In the year 1827, when he was first returned as a member of that House, he was asked, whether he intended to vote in favour of or against concession; and he had voted against concession. He had voted against concession in the year 1828, and he intended to vote against concession that night, when the question came regularly before the notice of the House. Though he might now turn in very good company, he did not intend to swerve from the opinions which he had formerly expressed on this subject. Those opinions were founded, as he believed, on correct principles, and to those principles he intended to adhere. What he had stated upon the former occasion was this: "The principle of concession is either right or wrong: if it be a wrong principle, you ought not to grant concession; if it be a right principle, you have not carried it far enough." He had therefore argued upon the latter supposition,

that if ministers did grant concessions, they should grant them with liberality. At the same time that he said this, he had expressed a confidence in his majesty's ministers; and that expression had been elicited from him by a declaration in the petition from the common council, stating, that they relied with full confidence on the wisdom of his majesty's ministers for a beneficial adjustment of this question. He was particularly sorry that such a statement should have been construed into a declaration of lukewarmness or vacillation on his part. To show that there was no ground for such a misconception, he now stated, that it was his intention to give his vote that night against the second reading of the bill. Whatever might be the decision of to-night, he would much rather have the question decided by good sense here, than by agitation elsewhere.

ROMAN CATHOLIC RELIEF BILL—
ADJOURNED DEBATE.] On the order of the day for resuming the adjourned debate, on the motion, "That the Bill be now read a second time,"

Mr. *Bankes* rose and said:—Sir, I have so often had occasion to enter upon the discussion of the subject now under consideration, both in this and in former Houses of parliament, during the last five-and-twenty years, that, if it were not from the very particular circumstances under which the question now comes before us, I should not have considered it necessary to have intruded myself on the attention of the House. The novelty of the question, as it now comes before parliament, arises from the altered position in which I and many others who continue to act with me, and who adhere to the opinions we have always professed to entertain on this subject, find ourselves placed, with regard to some of the members of his majesty's government with whom we had been previously accustomed to act. That is the first consideration which arises, and to that consideration I shall now take leave to direct a very few observations. I do not enter upon this discussion, Sir, with the hope of offering any thing new on this very exhausted subject. It would greatly surpass my ability to offer any thing new on such a question. When it is complained by the right hon. mover, and other members of his majesty's government, however, that they found themselves deserted, in former discussions on

this question, by those who concurred in opinion with them, I might, perhaps, venture to say, that I am not one of those who can be justly charged with having deserted them on former occasions, however I might now have a right to accuse them of deserting me. The right hon. mover, Sir, has endeavoured to impress upon us, that the great difficulty which weighed upon his mind, and which he found it impossible to solve, was, that if we refused further concessions to the Roman Catholics, we could devise no other course which we ought to pursue. This argument has been so often repeated, and so much relied upon, that I shall take the liberty of adverting to it at the beginning of what I shall offer to the House. It has been pressed upon us, over and over again, that if we do not concur in what is now advised by his majesty's ministers, we have nothing else to suggest in its stead. Now, Sir, I say that this argument, which is pressed upon us by the right hon. mover, was pressed upon him repeatedly in former debates. It was the chief argument of those who were favourable to concessions to the Roman Catholics, and was pressed repeatedly on the right hon. mover by Mr. Canning, and by lord Plunkett, who always endeavoured to put the right hon. mover into a dilemma by saying, "If you will not grant concession to the Roman Catholics, what do you propose as a substitute?" Now, Sir, I could refer to a great number of the right hon. mover's speeches in former debates, in which, as it appears to me, he gave the most satisfactory answer to this question. I can also refer to the words of a very high authority, the colleague of the right hon. mover, and who now holds the highest dignity in this country—I refer to the present lord chancellor. When the noble lord was in this House, and this question was under discussion, he answered a similar question; and I shall refer to his own words for the manner in which he answered it. I believe, Sir, that nobody who was present at the debate which took place in March, 1827, on this question, will fail to recollect the speech of the present lord chancellor, and the collision which took place between him and a right hon. gentleman now no more. In the course of that speech lord Lyndhurst said, "I am asked, if I object to the measure proposed, what substitute

I am prepared to propose? But I do not know, Sir, that I am required to give any answer to such a question." This was the observation of lord Lyndhurst, in the debate of 1827. He continued—"My answer, however, is, that I am not a minister. I am not a member of his majesty's government. I am not a minister of the country; and it would be idle, and even mischievous, for me, therefore, to say what measures, in my private opinion, ought to be adopted." Sir, following this high authority, enforced on this particular occasion by the good sense of the observation, I think it would be highly unbecoming in me to broach any project, or to sport any hypothesis, as to what I think ought to be done, but which, unconnected as I am with his majesty's government, I have no means of enforcing. I think that, by indulging in any observations explanatory of my own opinions as to what should be done, I should unnecessarily and unprofitably occupy the time of the House; and, if I were followed by others, I think we should only be deviating from the real question on which this debate hinges. If I am asked, then, what measure I propose to substitute for the concession of political power to the Roman Catholics, in order to allay existing animosities, and to preserve tranquillity in Ireland, I refer to the speech of lord Lyndhurst. The noble lord said, when the question was put to him, "I will answer that question by asking another—I will ask, what are the securities which the Roman Catholics propose to concede to us, for the concessions we are called upon to grant to them?" Those were the sentiments of lord Lyndhurst in 1827. He then thought specific securities necessary; but since he left this House he does not seem to set the same value on securities, as he did when this speech was made. Before taking leave of it, I really wish that hon. gentlemen would take the trouble of referring to this speech; for it contains some very curious matter, and gives rise to many considerations.—There is another point, Sir, on which I wish to put a question and to make an observation. The question I wish to ask is, whether his majesty's ministers see the dangers attendant on this question in a different light now, from what they did last year, and the year before the last? If they do not see the dangers of the question in a different light, then I have a right to ask,

whether they think that the present measure gives, or that they are now in possession of, greater facilities, for meeting and obviating those dangers and difficulties, than they were during the last year, and in the year preceding it? I beg to direct the special attention of the right hon. mover to this question. Either the dangers of resisting those concessions are the same as they were last year, or they are greater. If the dangers are the same, the answer to the proposed measure is the same which the right hon. gentleman made in former years, when this question was discussed. That answer was satisfactory to me, and appeared so to the House; and there is no occasion for us to adopt a different course from that which the right hon. gentleman then pointed out to us.

But perhaps it will be said, the danger is now greater; but I say, Sir, that if the danger is increased, it is owing to the supineness of his majesty's government, and to their unparalleled and still unexplained disregard of that monstrous power which had arisen in Ireland, and was wielded by the unconstitutional body known as the Catholic Association. It has been asked at different times, but it never has been answered, why this imposthume, if I may be allowed so to call it, was allowed to grow up under the eyes of the Irish government, whilst they took no steps to put an end to it? It is true that ministers denounced it in hard words, but they allowed it to arrive to vigour and maturity by their own supineness and inaction, and, as the consequence of that supineness and inaction, they are now driven to come forward with the measure before the House.—The right hon. mover has distinctly stated, that he did not come forward to propose this measure as a matter of option. He does not propose it as a measure of right, or of liberality, or of justice, to the Roman Catholics, but merely as a choice of difficulties. He dreads lest the dangers which may arise from resisting the demands of the Roman Catholics will be greater than those which he is apprehensive will arise from granting those demands. This is the argument of the right hon. gentleman, and it is impossible, therefore, I think, to contend, that the measure now before the House is not a measure of intimidation. It is a measure of intimidation, Sir, and nothing else. That power which has been so long at work in Ireland, undermining his ma-

jesty's government, has at length triumphed, by extorting this measure from the fears of his majesty's ministers. The noble duke at the head of the administration has been greatly praised and magnified during these discussions; and, in my opinion, there is no man who deserves more to be praised and magnified for many signal and splendid public services. But as to the measure now proposed—be it for evil or be it for good—and in my conscience I believe it will be attended with the most fatal consequences, it is not the measure of the noble duke; it is, in point of fact, the measure of the member for the county of Clare. Be his the honour, or be his the blame; for, to him, and not to the noble duke at the head of his majesty's government, is this measure owing. When the triumph of the Catholic Association is celebrated, as it will be, no doubt, when the measure now before parliament is passed, the noble duke at the head of the ministry will perform only a small part in the pageant. The member for Clare, the great hero of the Association, must act the first part; and what place will be left for the noble duke? Like the colleague of Marius in his triumph, it may be said—

"Nobilis ornatur lauro collega secunda."

Amongst the writers on our mixed constitution, it has long been a question whether, in a constitution like ours, it is safer to depend on a Protestant cabinet under a Popish king, or on a king who professes the Protestant faith and a Popish cabinet; and, considering the situation of this country, the circumstances under which a government is necessarily placed in these times, and the desire of irresponsibility which it has been found convenient and necessary to attach to the person who wears the crown, I do not hesitate to state, that, in my opinion, a Popish king and a Protestant cabinet would be safer for the country than a Protestant king surrounded by Popish ministers. As the business of government is now administered, all the acts of the Crown are done upon the responsibility of the ministers of the day, whoever they may happen to be. It would be so much easier then for a Popish ministry to control the conduct, and even the conscience, of a sovereign, than for a sovereign to control the measures of his ministers, that I should greatly prefer having a Papist near the crown to having a Protestant king surrounded by Popish councillors.—I come now, Sir, to consider what

many honourable gentlemen, perhaps, will say that I should have set out by considering, namely, what are the dangers which I think are really to be apprehended from the measure now proposed. I will state fairly and without exaggeration what, as it appears to me, will be the natural, and, I might say, the inevitable, consequences of this measure. With the permission of the House I will refer to what has been said in former debates, on similar measures, as to the dangers to be apprehended, because the dangers are expressed in terms much clearer and more forcible, as well as more correct, than they could come from myself. In the memorable debate of 1827, allusions were made to the propriety of admitting Roman Catholics to seats in parliament. That is the point which has been relied on as conveying political power to the Roman Catholics. In their admission to seats in parliament consists that political power which is given them by the measure now before the House. Now, Sir, I have always stated, and I am ready to state it again, that the only thing I object to is the admission of Roman Catholics to parliament. I am ready to grant them every thing else demanded for them. But the advocates for the Roman Catholics insist on this concession; and when I found it was a *sine qua non* with Mr. Canning, I found myself obliged to leave him, and I have since constantly opposed all measures of concession, because it was repeatedly stated, that the Roman Catholics would never rest satisfied until this, to my mind, most objectionable concession was granted to them. Now, Sir, in the debate in the year 1827 the admission of Roman Catholics into parliament was objected to, by the right hon. gentleman, on the ground, "that the effect would be, to bring the Catholic and Protestant churches into collision, finally to the destruction of the latter, and that the confusion and disorder which would prevail for ages, whilst the struggle was going on, would be a greater evil even than the event itself." Now, Sir, I agree in every part of this representation but one. The confusion and disorder consequent on the overthrow of the Protestant church might last for ages; but I do not believe that the contest would be a very protracted one. I think the march of events would be much more rapid than the speaker whose words I have quoted seemed to anticipate. I do not say that the event which he predicted would occur within so short

a period as remains to me of life; but the right hon. mover, perhaps, may live to see the consequences of this measure. He has, I sincerely hope, a long and a happy life before him. According to the course of nature he may yet look forward to many years; and I do believe that the danger to be apprehended from this measure—the overthrow of the established church—will happen, not in ages hence, but in the time of the right hon. gentleman, and of many others who now hear me. That the overthrow of the established church will be the ultimate effect of this measure I have no doubt. I think it is as clear as cause and effect.

I cannot, Sir, concur in the observation of the right hon. gentleman, nor can I conceive how he can feel that the danger which he described so strongly as likely to arise from continued resistance to these demands, should induce him to overlook the danger which he is now precipitating—a danger, in my opinion, much greater than that which he hopes to avoid by the proposed measure. There are two points which have been often mooted in relation to this part of the subject. It has been said, that if the Catholics were possessed of political power there is no reason to suppose that they would direct that power to the overthrow of the established church. This hypothesis has been met by the observation, that the Roman Catholic religion is adverse to Protestantism, and that we cannot rely on Roman Catholics when the question arises as between the two churches. But then it is said, that this is not a religious question—that it is merely a political question. Now, Sir, this is really cavilling in a way, in my opinion, not quite consistent with common sense. The question is whether the Roman Catholics, being members of a sect holding peculiar religious opinions, can safely be intrusted with political power? The whole question turns upon the nature of the Roman Catholic religion; and it is therefore a question of religion. The Roman Catholic religion, then, being a religion of encroachment and usurpation, if political power was thrown into the hands of its members, what is there to prevent them from using that power in opposition to Protestantism—what is there to prevent them from subverting the established church of Ireland? Many calculations have been made as to the number of members who would be returned from Ireland, if the representation of that coun-

try was open to Roman Catholics. I have heard even a larger number stated; but I do not think it at all unreasonable to suppose, that fifty or sixty members, half the entire number returned from Ireland, would be Roman Catholics. This would be the state of the representation, if we looked to Ireland alone. But let us also look to this country. It is well known that in this country there are many noble, wealthy, and powerful families, who are Roman Catholics, and who will naturally look to seats in parliament, and to all those objects of ambition and elevation which Protestants in the same rank usually look to. By their influence, and their wealth, and their power, those families will endeavour to get power over as many seats in parliament as they possibly can. Every one knows that there are many different ways in which seats in this House are obtained:

"Nunc premio, nunc pretio, nunc vi."

Now, in England, I think it is not too much to say, that out of the boroughs and towns forty or fifty seats might be expected to get into the hands of Roman Catholics. From England and Ireland, then, we have a hundred Roman Catholic members. As to Scotland, I believe less would be done by the Roman Catholics in that country; for the Popish religion is neither prevalent nor powerful there. When speaking of Scotland, however, I cannot pass it by without observing that, by the proposed measure, we break one of the leading articles of a treaty entered into by us with that kingdom, when it was an independent nation. By this measure we are violating a sacred article of the Union. And this is done for the purpose of laying every thing at the feet of the Catholic Association. We will suppose, then, Sir, that there are a hundred Roman Catholic members in this House. But, is this all that is to be dreaded? In any question concerning the Church establishment will the Roman Catholics have no support from the dissenters? Are the dissenters so much enamoured with the Church establishment, that they will unite to support it at all risks? The House will not fail to bear in mind the tone of many of the petitions lately presented from Protestant Dissenters, and the arguments with which they were followed up. Those petitions, and the speeches made in support of them, were pregnant with instances of the feelings of the dissenters against the Church establishment. As the dissenters do not partake of the spiritual benefits of

the establishment, if there are to be no civil disqualifications attached to religious opinions, it is not unreasonable to expect, that they may entertain a great desire, if not to ruin the Church establishment, at all events to be exonerated from the charge of maintaining it. We have heard opinions in this House, and recently too, to this effect. It has been repeatedly said, that the Church establishment is too large, and that by reducing it to its primitive poverty it would also be restored to its primitive purity. How far this doctrine is received in this House I do not take upon myself to say; but the doctrine has been extensively propagated by many popular writers, whose works are much read amongst certain classes. It has been fairly and candidly stated by some writers, that they supported this measure because they thought it would lead to the subversion of the Protestant establishment, and not, as is erroneously conceived, as I think, by some hon. members, that it would strengthen the establishment. How any one can suppose that the proposed measure can confer advantage on the established church is more than I can conceive, and I shall not attempt to argue on it. I think the last time that the Irish Protestant church came under discussion in this House was in 1824, and a distinct motion was then made for the diminution of its revenues. On that motion it was distinctly laid down as a principle, that the revenues of the Church were liable to be applied to the exigencies of the state; and, upon a division, eighty members voted for the motion. Now, Sir, if the Catholics, the Dissenters, and the other foes of the established church, were in combination and marshalled in array against the Protestant church establishment, for how many ages would the contest last? In my opinion, it would only be the struggle of a single parliament. Now, Sir, what is there which would prevent the Roman Catholics from doing this? I have no doubt that they would confederate to obtain any object which they conceived would promote their own religion. They would sit on one side or on the other, as inclination led them; but, when any question relating to their religion was brought forward, they would be found a united body; and, being united, they would become more powerful than as a numerical body. I do not talk of hundreds, Sir, but I have been long enough in this House to know how powerful bodies of twenty, and

even of ten, members are when united. When led by an able man small bodies of this description are often powerful in finding the means of forcing themselves into power, and carrying into effect their own views.

The Revolution of 1688, Sir, has been often referred to, and the arguments on that subject have exhibited something of novelty. Much has been said of king William and his councillors, and I have heard, with surprise, the strange distinctions made between the intentions and acts of those who took a part in bringing about that great event known as the Revolution. It has been said, that all that was done by king William was to settle it, that the person wearing the crown should be a Protestant; and therefore it is said, that the crown being Protestant was all that king William and his councillors laboured for, or cared about. Now, the fact happens to be true, though the inference is false. The only regulation made by king William was concerning persons to wear the crown; because that was all that was then necessary. King William could not have done more than was done before to exclude Catholics from political power and from all offices in the state. When it is said, therefore, that king William did not make those exclusive laws, I admit the fact. But then I say, no more did king William and his councillors make *Magna Charta*. The laws excluding Papists from power were made before king William's time; they were sufficient, and he left them as he found them. Does any human being suppose, that one of the first acts of Roman Catholic members of parliament, when once admitted into power, would not be to seek the immediate establishment and aggrandizement of their own church, at the expense of that now established by the constitution? Notwithstanding all the broad and sweeping assertions that have been made to the contrary, I must continue to think, that such were the opinions of king William and his councillors. I would entreat the House to look at the temper of that monarch and his advisers on the admission of Roman Catholics to political power. One of the first acts of the first session of the reign of that monarch was an act, which disabled Papists from the exercise of legislative power or authority. It even went further, and inflicted upon them banishment from the metropolis. I do

not advert to these measures for the purpose of advocating them in the abstract. I am aware that they were called for by the necessity of the times; and that is the very ground which I take. The conduct and known principles of the Roman Catholics called for those measures, and alone warranted their adoption: they were justified by necessity; that only could justify them; but the existence of that necessity is, in the highest degree, important to my present argument. I confess my total inability to comprehend how any rational and well-informed man can doubt the sentiments of king William's government, and of the monarch himself, on the unfitness of Roman Catholics to exercise political power in this country. To say nothing of the acts passed in England, those adopted in Scotland would alone be conclusive. These statutes in the strongest terms denounce the doctrines of the Roman Catholic Church, and assert the unfitness of those who profess them for the enjoyment of power in a Protestant country. To me it appears one of the most perfectly incomprehensible matters that ever came under my observation, how any man can doubt the *animus*, with which those measures were adopted, or could give any other interpretation than I have given to the Toleration Act. That act was not passed for the indulgence of Catholics, it was passed solely for the benefit of the Protestants themselves, for the relief of tender consciences amongst those who dissented from the doctrines and discipline of the Church of Rome. In fact, a special exception was made to the disadvantage of Roman Catholics; for then, as fully as now, the believers in transubstantiation were excluded from offices of state and the exercise of legislative power. I am aware that the authority of Mr. Locke is often quoted in support of the measure before the House; and I think his authority most material to my purpose, being, as he unquestionably was, the great advocate of toleration. No one will question at this time of day the character of that eminent philosopher, or doubt the tolerant spirit of his writings. Now, that philosopher distinctly recognised the exclusion of Roman Catholics from the benefit of the Toleration Act. I am far from saying that such principles should now be acted on; but this I do say, that—and it was with the object of supporting the assertion I am about to make, that I advert

to those circumstances—this I do say, that they manifest, in the clearest manner possible, that the acts of king William were fully and completely calculated for the exclusion of Roman Catholics—that that was the principle of his government, and one from which it never swerved. There cannot be a grosser misrepresentation than to put a different gloss upon the measures of that reign. The authorities to which I have referred put that beyond controversy, and confirm me more and more in the conviction, that the power of a Roman Catholic party in the legislature is of a very high order, and much to be feared and guarded against. No statesman that ever existed in this country had a juster impression on that subject than had king William; but, if it be contended, that he was not a good judge, we have one who must be acknowledged still more competent—I mean king James 2nd. Now, to give the House some notion of that king's opinions, I shall read a short extract from a newly-published book, rather than from any of the old historians upon this subject. The period alluded to, in the passage which I am about to quote, was shortly before the landing of king William in England, and the author wrote, on the 22d of September previous to that event, to the following effect:—"Yesterday-week his majesty was graciously pleased to afford us another instance of his care for the safety of the state, by publishing another declaration, stating, that as he proposed establishing an unusual liberty of conscience, so he was determined on preserving inviolable the Church as by law established; and, in order to effect that object, that Roman Catholics were to remain incapable of being elected members of the House of Commons; and that persons of that persuasion should engross no share of legislative power. Whereby, the fears and apprehensions are at an end which many persons entertained, lest the legislative authority should be enjoyed by the Papists, and by them turned against our Protestant establishments." This, the hon. gentleman said, occurred in the last struggle made by king James, when he felt himself obliged to abandon the principles he had heretofore maintained, and showed the dangers at the time apprehended by the people, from Roman Catholics becoming members of parliament: It also proved that the king himself had manifested his own intention to abandon

his former principles upon this point. If he were not afraid of tiring the House, he would refer to another short extract from a contemporary writer, who, in those very eventful times, did not appear quite so well awake to the dangers that surrounded him, as some hon. members were to the apprehended perils that menaced us from Ireland in the present day. The writer in question said, "His Majesty gives every day some mark or other of his gracious intention to preserve the established Church, and of his wishes to convince the bishops of it; in the first place, he ordered that several of them should be sent for to Court, and after a conference, they were all of them dismissed, very well satisfied." How well satisfied the bishops were, the articles which they presented to king James a few days after these gracious conferences sufficiently proved. What would be the conduct of the bishops of the present time with respect to this question,—what answer these right reverend persons would give, if consulted in these days on a proposition for the admission of the Roman Catholics to political power,—what would be their opinion when the present measure was set before them as a means to secure the safety and inviolability of our Protestant Church,—perhaps before long we should have an opportunity of seeing. In his opinion, our modern bishops would follow the glorious example of their great predecessors, in their endeavours to maintain and support the Protestant constitution as established in Church and State—they would neither surrender it to power, nor sacrifice it to expediency.

Mr. *Wilmot Horton* said, he felt himself relieved from much of the difficulty which he had had to encounter in former discussions of this question, by finding that they were not called upon to go into any arguments with respect to the past, but it was admitted that they were now to consider what was necessary to be done at present. It seemed to be a favourite argument with those who were now opposed to the Catholics, that they ought to be deprived of all political power, because it was impossible to prevent the Catholics and the Protestants from coming immediately into collision upon the subject of the rights of the Protestant Church. They seemed, indeed, to take it for granted, that the moment the Catholic was admitted to the enjoyment of those rights which the tardy justice of the Protestants bestowed

upon him—from that very moment, instead of endeavouring to prove his attachment to the constitution, by promoting the prosperity of the empire, he was to be found devoting the whole of his energies to the destruction of the rights and privileges of the Protestant Established Church. Such was the hon. member for Dorsetshire's opinion. Would the hon. gentleman take the opinion of the Roman Catholics themselves upon the subject? If he would, it was in his power to point out something worthy of the hon. member's attention. The proposition made by him (Mr. W. Horton) with regard to securities went, as was well known, to the extent of depriving Roman Catholics of the power of interfering with, or legislating for, our Protestant Church; and what danger, it might be asked, was to be apprehended from the Roman Catholics, or how could they combine to injure that establishment, if they were prevented from voting upon any measure affecting its interests? He confessed he could not perceive any objection to admitting Roman Catholics to seats in parliament, under such a provision. There might be objections to the proposed security; but if it were once agreed to, and put into operation, he could conceive no difficulty or danger in the admission of Roman Catholics to the enjoyment of legislative privileges. What was the answer that had been given to the proposition by a noble relative of his (lord Kenmure), a member of the Catholic Association in Ireland? The noble lord alluded to observed, that "in prohibiting the Catholics from legislating upon the affairs of the Established Church, he would exact no sacrifice, but on the contrary afford them a relief from a most disagreeable and irksome duty. Were it possible, indeed, to suppose that the Catholics should be admitted to Parliament unfettered by any restrictions or disqualifications, I should feel it my duty to act under the influence of such an opinion, and abstain from taking any part in the discussion, when the subject of the privileges of the Established Church came under consideration." Mr. Blount, the Secretary of the British Catholic Association, after assenting to the restriction, went on to say, by way of explanation, that he conceived there existed no necessity for any such proviso; for if the inequality of the law by which Roman Catholics were at present excluded from political privileges were removed, the Pro-

testant Church would still continue safe, though some persons might think differently.

He was aware that there were different classes of exclusionists. Some individuals considered religious exclusions—exclusion from political offices and privileges, on account of a particular religious belief—as the best and most advantageous feature in the British constitution; they wished the principle of exclusion to be the rule, not the exception; they looked at it as their breath of life, and their birthright; and they could not breathe the free air of heaven itself, with any degree of satisfaction, if it were not tainted with the poison of political degradation. With persons who felt thus, he knew not how to argue. It was they who said to the Roman Catholics, "We will not believe you upon your oaths." If so—if these were really their feelings, and if they meant to act boldly, manfully, and he would add, consistently—they ought to renew the penal laws. That in which he considered the great wisdom of his right hon. friend's measure to consist—that which gave a peculiar character of utility and safety to the plan, and reconciled him to it above all others that had ever been proposed, was simply this—that it was a measure which did not touch the ecclesiastical concerns of the Roman Catholics. He must be allowed to inform the hon. member, that the Roman Catholic clergyman, whom the hon. member supposed to be so desirous of possessing himself of the property of the established church, knew perfectly well that he could not avail himself of those possessions, unless the character and constitution of the Roman Catholic church in Ireland were to be totally changed. The Catholic clergyman knew that we would never transfer the possessions of the established church to him under any circumstances, without going to the Court of Rome and obtaining powers such as had been confided to other states that recognized a Catholic establishment. The Catholic clergyman knew that he was more independent as he stood at present, than he would be under such circumstances. He did not wish for the emoluments of the Protestant church: on the contrary, he was aware that he would be peculiarly vulnerable upon that point—that of an establishment—and that if an attempt were made on the property of the church, it must be fruitless.

But, the hon. member said, the Irish Roman Catholics were desirous of exonerating themselves from the payment of tithes. Did the people, he asked the hon. member, believe, if the property of the church were otherwise appropriated than at present—if it were diverted to some other object—that they would not have to pay the amount of what they now paid in tithe, in a different shape? The property of the church was on the same footing as state property. It was property held in trust for the benefit of the Protestant church. If a man purchased property encumbered by tithes, he purchased it at a less price than he could otherwise have done, exactly in proportion to the amount and value of the tithes payable upon it; and so of glebe and other church lands. Again, the man who had to pay tithe, made a calculation of the amount, and paid by so much less to his landlord. It followed, that the rent of land, tithe-free or not tithe-free, must be measured according to the composition or proportion of tithe to which it was liable, or from which it was exempt. As long as the illusion existed, that the destruction or removal of church property would prevent the payment of tithe, or an equivalent to tithe in rent, the mistake might operate upon the minds of men to endeavour to remove or destroy the right of the church to such property; but that was an illusion which, if it existed any where, could only exist in the mind of the hon. member for Dorsetshire. Besides, church property was a species of property recognized and defended by the law; and we could not take a single sheaf of corn, or divert to other purposes five shillings of tithe-composition without repealing the articles of Union between England and Ireland. Did the hon. member suppose that the Roman Catholics who might obtain seats in parliament could, in one or in fifty sessions, effect that which would be practically repealing the Act of Union between the two countries? He alluded to an alteration in the appropriation of church property. Such a supposition had no foundation whatever in analogy, and could only be founded on an illusion that still appeared to possess the hon. member for Dorsetshire's mind;—namely, that the Roman Catholics were governed by the same principles, and had the same objects in view now as at the time of the Revolution ["hear," from Mr. Banks]. The hon.

gentleman might cheer, but did he mean to say, that a prince of the House of Stuart now laid claim to the throne? Unless he kept himself most religiously *incog.*, he did not know of the existence of any such person pretending to the crown of these realms. How, then, could it be said, that the objects of the Roman Catholics were the same now as they were a hundred years ago? When hon. gentlemen said, as they did say, whatever obloquy they might sustain in that House from being in the minority of one hundred and sixty, they were satisfied that, when they returned home, they would have the approbation of the great majority of the people of England—when hon. members said this, they evidently founded their opinion on the total ignorance in which the people of England had been kept as to the real merits of the question [Cries of "No, no," and loud cheering]. He repeated, if the minority obtained the approbation of the people of England, they could only do so by means of the ignorance of the people of England on the subject.

If hon. members were not prepared to believe Roman Catholics on their oaths, they should, if they were disposed to act consistently, come manfully forward, and say at once that the penal laws ought to be re-enacted. Cruel, dangerous and oppressive as might be the attempt, that was their only resource. In 1826, the Roman Catholic bishops put forth a declaration stating, that the principles, belief, and doctrines, of their church had been grossly misunderstood and misrepresented, and explicitly promulgating their real opinions and tenets upon particular points. They protested, that as Catholics they entertained no opinions which were not perfectly consistent with the performance of their duties as British subjects. Now the objections to the removal of Catholic disqualifications which existed in the public mind in this country, evidently proceeded from the assumption, that the Roman Catholics did entertain opinions inconsistent with their duties as British subjects; and not from any apprehension that Catholics might obtain admission to parliament in sufficient numbers materially to influence the judgment and decision of the legislature. He would not argue with the hon. member the point, whether or not, in former times, the Roman Catholics held principles at variance with their duties as good subjects: he came to the

present period, and referred to the declaration of the Catholic bishops in 1826. Being charged with holding opinions, and professing tenets, inconsistent with their duties as British subjects, they took the opportunity of stating the nature of the doctrine which they do profess, and they thus expressed themselves upon the subject of the obligation due to an oath—

“ Catholics are charged with holding, that they are not bound by any oath, and that the Pope can dispense them from all the oaths they may have taken. We cannot sufficiently express our astonishment at such a charge. We hold that the obligation of an oath is most sacred; for by an oath man calls the Almighty Searcher of hearts to witness the sincerity of his conviction of the truth of what he asserts, and his fidelity in performing the engagements he makes. Hence, whosoever swears falsely, or violates the lawful engagement he has confirmed by an oath, not only offends against truth, or justice, but against religion. He is guilty of the enormous crime of perjury. No power in any Pope, or council, or in any individual, or body of men, invested with authority in the Catholic Church, can make it lawful for a Catholic to confirm any falsehood by an oath; or dispense with any oath, by which a Catholic has confirmed his duty of allegiance to his sovereign, or any obligation of duty or justice to a third person. He who takes an oath is bound to observe it, in the obvious meaning of the words, or in the known meaning of the person to whom it is sworn.”

This was the declaration of the heads of the Catholic church; and he would now take leave to ask, what was it except an oath which kept the Catholics from the enjoyment of all the privileges of the Protestants, and brought them as supplicants to that House? Could any man deny that it was nothing but their sense of the obligation imposed by an oath? Well, indeed, might the Catholics say, in the beautiful language of the noble Poet—

“ Were my bosom as false as thou deem'st it to be,
I need not have wandered from far Galilee;
It was but abjuring my creed to efface
The curse which, thou say'st, is the crime of my race.”

The attention to the sacred obligation of an oath was the crime of the Catholic;

and yet, because he acknowledged its force, he was to be taunted, with the imputation of being utterly unworthy of confidence.

They had been told, on the evening before, by the hon. member for Newark (Mr. Sadler) that the settlement of this question was perfectly useless and unnecessary, because it did not touch, and could not cure, the real evils of Ireland. He had never said, nor had he heard it stated, that the concession of the Catholic claims would cure all the evils of Ireland; but this he was prepared to assert—that we must apply the moral remedy before we attempted to cope with the physical evils that afflicted that country. One good effect of the adjustment of the Catholic question would be, that it might be expected to calm men's minds, by the removal of a galling and unnecessary distinction, and leave their faculties free to exert themselves in useful channels, and for the accomplishment of useful purposes. Was it nothing that men should be debarred from a fair participation in all the laudable honours and advantages of civil life? Was it to be expected that, under such circumstances, the Catholic would rest content and satisfied, while excluded from enjoying the privileges of a state to the support of which he contributed? Every hon. member could well believe that it was not; and we had the best evidence to show that the mind of the Catholic was strongly roused and excited, to attain what might be considered a fair and praiseworthy object. But that object once attained, was it to be supposed that the Catholic would dash on in his career, and in order to gain visionary advantages, deprive himself of the power of enjoying substantial privileges? Was not such a supposition at once refuted, not only by the dictates of reason and common sense, but by the history of every country on the face of the globe, with respect to the circumstances of which and those of our own any analogy could be instituted? Were hon. gentlemen aware of the state in which Roman Catholics were placed in two other kingdoms, and did they know the effects that had resulted from the existing condition of things in those countries.

We were told last night, that we ought not to go into the circumstances of other states, or institute any analogy between countries which had constitutions of a dissimilar kind. On this principle, we

must not take a lesson from places that had not precisely the same sort of institutions as we had: we could only copy from free States. With respect to that doctrine, he thought an American might be justified in considering the constitution of his country as a free one, because it was founded on opposition to foreign interference, and extended equal privileges to its citizens; yet, had not the American got the principle of slavery recognised and admitted in his code? Was it impossible to find a code of freedom in which no blot of slavery existed? This was the blot that at present defaced our own free constitution. We boasted of our freedom, yet we excluded six millions of our fellow-subjects from a participation in the full and perfect enjoyment of it. The principle of exclusion might have been originally adopted in defence of our liberties, but now that times were changed, and a necessity no longer existed for restrictions, we should abandon that narrow principle, and carry into effect, in the broadest and amplest manner, the true principles of a free constitution. Now that no possible danger could result from their abandonment, we should remove those disabilities and disqualifications which had pressed upon and weighed down the energies of the State like an incubus—which had obstructed our foreign policy, hampered our councils at home, and depressed the national prosperity. Let gentlemen only look at the truth of this picture—let them only reflect on the advantages that would thus be obtained—and contrast them with the imaginary apprehensions of the hon. member for Dorsetshire, who appeared to think, that the admission of a few Roman Catholics into parliament would overwhelm all—the constitution and the country—in one common and indiscriminate ruin.

We were told, that this measure ought not to be adopted, because it was not attended by securities. Now, of this he felt convinced, that what had generally been denominated securities, were not often brought forward by those who advocated the measure through any very sincere or deep-rooted conviction of their utility, but as being calculated to allay apprehensions and satisfy prejudices where they were honestly entertained. He repeated his conviction that the securities usually brought forward and connected with projects for Catholic relief, were intended to satisfy the public mind rather

than as solid safeguards to the constitution, which stood in need of no such aid. He himself had proposed a plan with a view to effect this object. At the same time that he did not insist upon securities, because he considered them unnecessary; yet, if he were asked, as a friend to Catholic emancipation without securities or restrictions, whether he would concede the point of securities, he would be ready to do so, on the principle of satisfying the minds of persons who might be opposed to the measure in an unqualified shape. In order to obtain their assent and support to concession, and on the principle of general conciliation, he again said, he would consent to the introduction of securities. But, what he most valued in the measure proposed by his right hon. friend was this, that it was free from all securities. Under the circumstances of the case, he did not think securities, such as those that had usually been proposed, likely to promote conciliation; and if not conciliation, then certainly no other useful object. If he thought the contrary, he would feel disposed to desire and support securities. He thought it wise in his right hon. friend to introduce a measure free from all such incumbrances. If securities could be devised of a nature calculated to conciliate the opponents of the measure, or necessary to the support of the constitution, he would advocate them; but if, as he believed, their introduction would not lead to either of these results, then he preferred having them omitted, lest they should furnish the means to those who had the will to pick holes in the measure [hear]. He made this candid admission on the subject of securities; although no man had taken more pains than he had to devise such as the Roman Catholics could make no objection to. In that object, he had succeeded. No Roman Catholic made a reclamation against his plan; and three Protestant bishops, whom he named in order to honour, expressed to him an humble individual not connected with government in any capacity whatever at the time, and at a period too when there appeared no chance of the Catholic question being settled, that they would be ready to vote for it, if accompanied by the securities proposed by him, which these right reverend prelates considered well calculated to protect the Protestant Church. If he thought the liberality of

these individuals likely to be generally imitated and considerably extended, upon these grounds, among the occupants of a pious and learned bench in another place, he of course could have no objection to the introduction of such a plan of securities. But, on the whole, taking all the circumstances into consideration, he rejoiced to see that the measure brought forward by his right hon. friend, was altogether unattended by securities; which, except in so far as they might be calculated to conciliate, must be productive of injury.

He trusted, he might be allowed to say a few words upon a part of the subject which he had not heard any of the opponents of the present bill advert to—he alluded to the argument arising out of the state of Ireland, which had been introduced in his right hon. friend's speech. No argument had been offered in opposition to his right hon. friend's position—that the state of Ireland as it now existed, under the civil disabilities affecting the Catholics, could not continue. It was evident, therefore, that we must either advance or retrograde—there was only the choice between these two courses. Now, putting aside the justice of the case as regarded concession, let us look at the question as one of expediency and necessity. No government, he was prepared to say, could be carried on upon a system of deliberate and decided opposition to the claims of the Roman Catholics. Good God! could any body, with the experience of what had passed in Ireland within no long period before his eyes, declare that it was possible for a government to be carried on much longer upon such principles? The reason and common-sense of the country must be satisfied, that if the safety of the constitution and Protestant establishment could be rendered consistent with the admission of the Roman Catholics to a fair share of civil privileges, it was a violation of every analogy connected with the principles on which free states should be conducted, to persist in maintaining needless and irritating disqualifications. The good sense of the country must also see, that Protestant interests would be better secured by allaying discontent and rendering all classes of our fellow-subjects satisfied with their condition, than by means of a military government. We were told, that it was necessary to keep five-sixths of the Infantry of the country in activity in Ireland—that we were obliged

to do this, in consequence of the state of that part of the empire. Until honourable members who were opposed to concession could answer this plain fact, that part of the case in favour of Roman Catholic relief remained invulnerable.

An hon. gentleman who spoke last night appeared to be of opinion, that the proper meed of merit and applause would not be given by the public voice to all those who had been concerned in the advancement of this great measure. He differed from the hon. member upon this point, and thought posterity would divide the applause with scrupulous accuracy, as regarded the respective merits of the living as well as the dead. He had no apprehension that any man who had had a share in advocating and promoting this question would fail to receive from posterity a fair meed of approbation. For himself, if he were only permitted to move along among the last and humblest followers of that illustrious train, as one who had plodded his weary way for many years towards that temple of concord in which this great sacrifice of ancient prejudice to the spirit of liberty and the true principles of the constitution was about to be consummated, he should be amply compensated for all the annoyance and vexation he had endured while pursuing his present course.

Sir Henry Parnell denied the assertion of the hon. member for Dorsetshire, that the Catholics would, in the event of the passing of this bill, be enabled to send fifty members to the House of Commons. He believed that if all the counties in which Catholic voters predominated were to succeed in sending Catholics as their members, they would not amount to any thing like that number. It had been argued by the hon. member, that the concession of the Catholic claims was not necessarily connected with admission to seats in parliament; and, therefore, that it might be avoided. But he would refer the hon. gentleman to the benefit that had been derived by the Catholics from the concessions already made to them, to shew that admission to parliament was essential to secure any advantage from them. Why was it that, since 1793, so little advantage had resulted to the Catholic population of Ireland from the concessions then made to them, though they were rendered eligible to such a large range of offices? It was owing, he would

say, to the want of connection with their admissibility to parliament, which rendered those other concessions nearly useless to them. It was true that those concessions had never been received with that degree of gratitude which some had thought the occasion demanded; but the reason was, because they were of no real advantage to the Catholics, in consequence of very few offices having been given to them. Neither did he agree with the hon. member with regard to the danger apprehended from the possession of seats in parliament by the Catholics. The hon. gentleman had quoted several speeches, to show how this danger would work. Now, he would request the House to attend to an authority as to this point, which he conceived would be of some weight with the House, and indeed with the hon. gentleman himself, namely, the authority of Mr. Burke. That great man had stated it as his opinion, that "after the capacity of the army and the navy, and the capacity of voting at elections had been given, to refuse the capacity of sitting in parliament, is a dispute *de land caprind*." And he added afterwards, "if I were to form a judgment on this subject from experience, and also from theory, I should doubt greatly whether the capacity for, and the possession of, seats in parliament, do really convey much political power. I sat for twenty-nine years in parliament, and I do think the power of a member is rather in opposing than in supporting the measures of government; and I do think that a clerk in office frequently possesses far more influence than nine-tenths of the members of the House of Commons. The exclusion of the Catholics is only a mark of jealousy and suspicion, and will not provide any sort of security." This was the deliberate opinion of the highest possible authority to which any matter of a constitutional nature could be referred, and would be, he had no doubt, of great weight with that House and the country, in respect to the arguments of those who were trying to impress on the minds of the people, that the admission of Catholics to parliament would expose the constitution to dangers which would certainly lead to its destruction.—He wished to make some observations on what had been repeatedly said by hon. gentlemen on the other side of the question, as to the future probable conduct of the Catholic

clergy of Ireland. Every hon. gentleman opposed to this bill ventured to declare a speculative opinion, that as soon as it was passed, the power of the Catholic clergy would be directed to the aggrandisement of the Catholic religion, and the raising of it to ascendancy on the ruins of the Protestant church. It had also been stated, that the influence which the Catholic clergy exercised over the people, through the Association, was still exercised as effectually as heretofore, to forward purposes inconsistent with the peace and tranquillity of the country. He did think, he owned, that these opinions, coming from such quarters as they did, were but of little value indeed; because the House must be aware, that it would require a great deal of local knowledge and a long acquaintance with the people of Ireland to enable any person to form an opinion respecting the persons filling the clerical offices of the Catholic church of Ireland, and especially to come to an accurate judgment as to the motives that govern that body of persons whose general conduct had been so praiseworthy. He would take on himself to say, that if any hon. gentleman would take the pains to do so, he would be satisfied; and as a representative of part of the people of Ireland, he would also take on himself to say, that he would place every confidence in the Catholic clergy as to their future conduct, especially as it relates to the due observation of the laws, the preservation of the tranquillity of the country, and the proper government of the persons under their charge, in a way that would give the greatest possible satisfaction to every body. Undoubtedly, this measure of emancipation would take from the Catholic clergy one of the main supports of their power, and diminish their influence over the people of Ireland. He would go further and state, that, in consequence of the communications he had had with a great many of the Catholic clergy, he believed they would find great difficulty to maintain the Catholic religion to the extent it now existed in that country, after this bill was passed. He felt confident that the competition between the ministers of the two religions, under the circumstances of equal, full, and perfect toleration in which they would now embark in the discussion, would be entirely favourable to the growth and spread of Protestant principles [hear, hear].—The

Catholic clergy would find themselves in a new situation, when they had to contend before a people not inflamed by long-endured grievances, that theirs was a religion of reason and the gospel, and that it was every way superior to the Protestant doctrines. So far from being likely to enter upon so difficult a task as that of attempting to subvert the Protestant religion, they would rather confine themselves to preserve their own religion in its present state. With regard to the influence of the Catholic clergy over the people, he believed it was greatly exaggerated. He could say, from his own knowledge, that during the first and second year after the establishment of the Catholic Association, the Catholic clergy abstained from becoming parties to its proceedings. They disclaimed any disposition to embark in political affairs, and they adhered to that resolution until the state of the country reached such a crisis that the Association succeeded in making the Irish people believe that any body who did not take a part with them was an enemy to Catholic interests and to the Catholic religion. It then became a question, whether the clergy should follow the stream of public opinion, or take an opposite course, and run the risk of losing all their influence over the people. In support of his statement he could refer to a speech made very recently, and since the measures of relief had been opened to parliament, and which would also shew a little proof of the influence of the Catholic clergy being turned to very good account. He alluded to the speech of Dr. Kelly, coadjutor to the titular archbishop of Armagh, who, at a meeting of the Catholic clergy at Newry, on the 18th of February last, had remarked that "the bishops of the Catholic church had lately taken a considerable share in political affairs, a great deal more perhaps than was consistent with the condition of retirement in which they had hitherto lived. The cause of this interference with their duties as ministers of the Catholic religion had, however, altogether ceased, in consequence of a communication made by his majesty at the beginning of the present session of parliament." The Catholic bishop went on to say—"That being the case, it was, for the future, his determination, so far from continuing to take part in political affairs, wholly to withdraw from them, and at the same

time to assure the public that this was the course most suitable to the occupation he filled."—He (sir H. Parnell) was aware that a Catholic priest who had taken a very active part in the business of the Association, had refused to allow a meeting to be held in his chapel, for taking the franchise bill into consideration. The influence of the clergy had formerly, in many instances, been exercised against the government; but he trusted it would now receive a new direction, and be brought into action to support the laws, and establish the tranquillity of the land. He thought also, that the greatest possible change for the better would result to the people at large; for it was the vice of the particular system of government until lately pursued in Ireland, that it generated a feeling of hostility among the people to the administration of the law [hear, hear], and this to such a degree, that it was almost impossible to obtain evidence against the criminals when offences were committed, and it was commonly known that no person was willing to give information for their detection; and that even when detected, and put into gaol, there was great difficulty in convicting them, and there was in every stage of their administration great difficulty in carrying the laws into effect. He trusted that when this bill was passed, the feelings that had hitherto prevailed among the Catholics would cease, as they were evidently injurious to the vital interests of society, and that the law would have full effect, without any of those disturbances which had rendered the state of that country such as it had been unhappily for too many years. The principal effect on which he placed his hope of security would be the result that would ensue from the improvement of the condition of the people.—Security of property would be established; the capital now in Ireland would be more actively employed; English capital would be sent over, and produce an accumulation of profits, which would increase the wealth of the country, and give general employment to the people. In this way, he looked to the future improvement of their condition; for when with the wages of industry they could earn a better subsistence, better habits would spread among them, and the progress of civilization would be extended nearer to the degree in which it existed among the labouring classes in this coun-

try. From this improvement of the Irish people, great advantage would also follow to the interests of the working classes of England. For at present the Irish labourers, not being able to earn even a scanty subsistence at home, were necessitated to come over to this country in great numbers, and by their competition the rate of labour was greatly reduced. This would be put an end to as soon as the Irish people could maintain themselves in their own country. He would not trouble the House at any greater length, but he had felt it his duty to make these observations—particularly those with regard to the Catholic clergy, because he could not sit silent and hear with satisfaction their character and conduct censured, knowing, as he did, that their time and efforts had been employed in every possible way to promote and preserve the tranquillity of their country.

Lord Tullamore apologised for presuming to address the House, but he felt so strongly on this question that he must throw himself on their indulgence. He had risen in the discharge of a painful duty, which the necessity of the case had imposed upon him. He was sensible that no support of his could do justice to that cause of which he was a humble and zealous, but inefficient advocate. But still he should think himself unworthy of a seat in that House, if he gave a silent vote on a question of that immense importance, and did not raise his warning voice when he considered the country and the constitution to be both in danger. It was his wish to follow the advice given in his majesty's gracious Speech from the Throne, and he should therefore enter into the discussion "with temperance and moderation," because, holding the opinions he did of the measures of his majesty's government, he was desirous, in justice to himself and to those who did him the honour to think with him, to show how undeserved were those epithets which had been used so freely with regard to their conduct in opposing those measures. He referred to the terms "base, infamous, and factious," which had been applied to them; and they had been also described as "bigots," and as men "who had not the common feelings of Christians, but who would gloat their eyes with delight in seeing the blood of their Roman Catholic fellow-subjects shed, and who would look with complacency at the prospect of

a civil war, to which their efforts were directed."

"Falsus honor juvat, et mendax infamia terret,
Quem, nisi mendosum et mendacem?"

If those (continued the noble lord) who spread such falsifying calumnies, think to intimidate or deter us from pursuing the duty forced upon us by those measures, they will find themselves mistaken. It is not my intention to compare the doctrines of the church of Rome with the purer religion of the Reformed Establishment. I have no wish to say any thing to offend the feelings of those who profess the Roman Catholic religion; for I have lived on terms of the greatest intimacy and friendship with many followers of that church, and believe they are very sincere in their religious sentiments. I have known many priests of that church, too, and I must say, that they are men of the most charitable, benevolent, and devout character. But, though I have the greatest respect for them personally, it is another question, whether I shall intrust them with the direction of political power. We were told at the beginning of the session, that we should place perfect and unlimited confidence in his majesty's government; and that we might be certain that their measures would not be brought forward without adequate securities. But now we find, after all, that they are brought forward without any securities at all; and still we are told to put our confidence in their superior judgment. If I feel myself compelled to oppose his majesty's government, I do so with great regret; and if I should express myself strongly, it will be because I feel bitterly, at the remembrance of the deceptive practices followed by his majesty's ministers, and especially by the right hon. Secretary of State, which has caused a general expression of the feelings of the country when they came forward with these measures. The right hon. gentleman made a triumphant progress through the northern parts of the country, and heard speeches delivered in support of Protestant principles, and gave no hint as to his intentions. I must look to a Roman Catholic poet for a passage which, like a text of Scripture, may serve as a motto to the mode of his progress—

"Drunk at a Borough; civil at a Ball,
Friendly at Lancashire, faithless at Whitehall."

If the right hon. gentleman had come to this House, and said, that his opinions had been changed, from the knowledge of the

affairs of the country which he had gained officially or otherwise, and therefore, that he had found it necessary to adopt opinions different from those he before held, that would have been a fair and intelligible course. But I own, that my confidence in the right hon. gentleman was much shaken by the course which he adopted; for he tells us, that his opinions remain unchanged, and that he now sees all the dangers attending concessions to the Roman Catholics which he ever saw, but that he now prefers present securities to prospective dangers. Now, what are these dangers? We must refer to the right hon. gentleman's speeches in this House. On the 12th of June last, the hon. baronet, one of the members for the city of Westminster, made a speech in this House, in consequence of something that had fallen from a distinguished personage in the other House, and from which the hon. baronet inferred an intention, on the part of his majesty's government, to bring forward some bill for the relief of the Roman Catholics. The hon. baronet, under this impression, put a question to the right hon. gentleman, who replied, "that as the hon. baronet had expressed a hope, that the present administration would take up this question in the next session, and introduce some measure for its settlement, lest any misconception should go abroad respecting his sentiments, he was anxious to speak upon this point for himself, and for himself alone. Under the constitution of the present government, each individual member of it was at liberty to entertain and support his own opinions regarding this question. Conceiving, then, that it was only necessary for him to state his own individual opinion on the subject, he would refer the hon. baronet and the House to the declaration which he had repeatedly made respecting it, and, speaking then as an individual member of the government, he explained, as he was at liberty to do, his own sentiments on the question. To that declaration, and to those opinions, he still adhered, and he conceived that, in saying so, he had said enough to satisfy the House that his sentiments upon the subject remained unaltered."*

Now, he would defy any one to draw any other inference from those speeches,

than that of direct opposition, on the part of the right hon. Secretary, to the measure which he, of all persons in the world, had now brought forward. But, what had the right hon. gentleman's conduct been on former occasions? In 1825, he had tendered his resignation, in consequence of his determined opposition to the Catholic claims; but, in 1826, a new parliament was formed, and the right hon. Secretary did not then think there would be any inconsistency in remaining in office. [Here the noble lord's voice became so low, that we heard him but very indistinctly in the gallery, but we understood him to say, that]—In May, 1827, after the new administration had been formed, and when the question was again agitated in the House, the right hon. Secretary expressed his opinion upon it in the following terms, at the same time answering a question as to the grounds upon which he had always opposed the measure:—"Sir, the nature of that opposition was such as to allow of no middle course. It was founded upon the belief, which I have always sincerely entertained, that the removal of those barriers which the law opposes to the attainment of political power by the Roman Catholics, was inconsistent with the maintenance of the constitution, and with the welfare and safety of the church. Could I afterwards stand up in the face of the country, and allow it to be said, that I had acquiesced in permitting the first minister of his majesty to carry into effect, without opposition, that which I had always opposed, when it was introduced by any other person?" After such protestations as these, he thought every person must feel astonishment at the line of conduct which the right hon. gentleman had pursued. Ireland, at the time of his apostacy, was tranquil. It was true, that large numbers of the people assembled, but they had uniformly behaved peaceably, and had never committed the slightest violence. It appeared to him, that the change of conduct on the part of the right hon. gentleman would not be productive of any good to Ireland. The proposed measure would not have the effect of tranquillizing that unhappy country. It had already given rise to the most violent speeches from those who had lately been at the head of the Association. In proof of the truth of this assertion, he would read an extract from a speech made by Mr. O'Connell, after the measure had

* See Vol. xix. p. 1323.

been brought before the House. It was in the following terms:—

“The hon. gentleman said, that it would be base in them to return to Ireland and tell the people there, that they had silently sat by whilst their rights were wrested from them. They were pledged by past resolutions—by duty—by consistency—by gratitude—by every human tie—by their love of civil liberty—to defeat, by every constitutional means, this accompaniment of the bill. The Association (said Mr. O’Connell) has been put down, but I pledge myself to stand in the place of the Association. I am honoured with a large share of the confidence of my countrymen, and through me they shall have redress for any violation of the law that may be committed to oppress or to insult them. I pledge myself, as I have done before, to offer every opposition to their disfranchisement, even though the present bill should pass into a law. I will exert myself to seek retribution for their rights, should they now be taken from them. Should that disfranchisement unhappily be persevered in and carried, I shall consider the measure of our emancipation incomplete until that franchise be restored. It has been asked, who will take upon himself the responsibility of resisting a bill accompanied with such a measure? I am that man. The honourable and learned gentleman proceeded to argue that if there was no *veto* in the present bill, it was because the Catholics had protested so strongly against it; it was known that it would be better to pass no measure at all, than to pass a measure with the *veto*. If they were equally united and strong in their opposition to the disfranchisement of the forty-shilling freeholders they might equally succeed in preventing it from being incorporated in a measure for their relief.”

By this it would appear, that the orators who had so long agitated Ireland, and excited her worst feelings, would not be satisfied with emancipation, upon the terms on which it was offered them. The conversion of the right hon. Secretary, therefore, would be but of little use. It had been urged as one ground upon which it would be advisable to grant emancipation, that in case of war this country would be endangered from the dissatisfied state of Ireland. In reply to that he begged it to be remembered, that in time of war the commerce and trade of Ireland was increased a hundred fold; as it was from

that country that the greater portion of the provisions necessary for our forces was derived. He did not imagine, therefore, that a war would influence the people of Ireland to act in defiance of the laws of the realm. Ireland had always been the chosen spot of the Roman Catholic church; and it would appear, by a curious document which he held in his hand, that it had been predicted by a Catholic bishop, that when the faith of the church of Rome was overcome in Ireland the mother church itself would cease to exist. This prophecy was contained in a letter from the bishop of Meath to the great O’Neill, and was in the following terms:—

“O’Neill, thou and thy father were all along faithful to the church of Rome. His holiness Paul, now Pope, and the council of the holy father, have lately found out a prophecy, there remaining, of one of St. Latesianus, an Irish bishop of Cashell, wherein he saith ‘that the mother church of Rome falleth when in Ireland the Catholic faith is overcome!’ Therefore, for the glory of the mother church, the honour of St. Peter, and your own secureness, suppress heresy in his holiness’s enemies; for when the Roman faith there perisheth, the see of Rome faileth also. Therefore the council of cardinals have thought fit to encourage your country of Ireland as a sacred Island: being certified while the mother church hath a son of worth as yourself, and of those that shall succour you and join therein, she will never fall, but have more or less a holding in Britain in spite of fate.” For his own part, he was convinced that the conduct of government would have a demoralizing effect, and could not, by possibility, be attended with any good result. He should conclude by citing the words of the great lord Burleigh, who had said, that “England could only be ruined by her own parliament.”

Mr. Robert Grant alluded to the manner in which the noble lord had redeemed the assurance given to the House, that he would approach the question with temper and moderation [a laugh]; but it was, perhaps, impossible to expect that noble lord to be more circumspect than others who were wont, whenever they rose to address the House on the side espoused by the noble lord, to heap an accumulation of reproach and invective, of charges and accusations, against every one who happened to be opposed to them in sentiment.

He had listened last night with considerable interest to the speech of the hon. member for Newark, and which he considered one of great ability. In estimating the quantity of opposition offered out of doors to concession, he could not but agree with the observation of the hon. member, that it was found more generally among those who were most distinguished for religious habits and the strictest morality. He had endeavoured to make a calculation as to the probable feeling of the public, from the petitions presented to that House. Yet this, on maturer reflection, he had thought, was not likely to afford a fair criterion; for it must be clear, that the whole adult Catholic population of Ireland would, if polled on the occasion, be unanimous in entreating that the measures now contemplated might be passed into a law; whilst of the Protestant community, though many petitions had been presented on both sides, a great number were still behind, and numerous individuals had not expressed their sentiments upon the question. He thought that, in fairness, hon. members should not object to the measure before the House, until they were prepared to submit another—of course a better one—for their consideration. The admissions and objections of hon. members, were, to say the least of them, somewhat strange. One hon. member would admit the Roman Catholics to office generally, while another hon. member, the representative for Kent, would admit them to all the advantages of the constitution, except seats in that House. He did not wish to prophesy—indeed there was no necessity, as the House he was sure, had had enough of vaticination already—but he would say, that if he could for a moment believe that the Roman Catholics would accept of emancipation on such ignominious conditions—that they would consent to such a compromise as admission to office, without the right of a voice in the legislature—he should be the first to abandon their cause, which he had ever advocated, and to declare them deserving of the reprobation of all true lovers of the constitution. But they would not, he was convinced, expose themselves to such ignominy; nor should a British parliament try them. What! would hon. members admit them to the patronage of office—admit them within the presence and influence of the Crown, the fountain of honours—and yet declare

them unfit to be the representatives of the people? The only specific objection he had heard against the right hon. Secretary's bill was founded on such a political anomaly; for hon. members would consent, they said, to have a Protestant monarch with Catholic councillors and Catholic placemen, so that the representation of that House was Protestant; whereas, his right hon. friend's measure only did the same thing, with this difference—or, he should rather say, this great advantage—that those Catholic councillors and holders of office under the Crown should appear in their places in parliament to explain publicly their official conduct.

The hon. member for Newark argued the question on the supposition, that Catholics should not be, under any circumstances, admitted without limitation into that House. He would not discuss that point; the rather, as it had been fully commented upon before, particularly by the hon. member for Newcastle, and would only say, that he was confident that the number of Catholics whom the present measure would enable to become members of the legislature would not exceed the proportion of the wealth and respectability of the Catholics to the wealth and respectability of the Protestants. Notwithstanding the argument of hon. members, which only deserved a smile, he would contend, that the ratio of Catholic representatives could not exceed that of Protestant—their respective interests in the state being considered. Such a disproportion could not exist under the present system of representation; water, unobstructed in its course, would as soon rise above the level of the spring whence it flowed. He, therefore, could not, for a moment, entertain any apprehension on that score. He would go further, and freely and frankly declare, that with a view to the safety of the Protestant establishment of the country, he should not like to see the Catholic ratio of members of parliament smaller than the Protestant. On the contrary, he thought it highly desirable, that a sort of competition should exist, so as to preserve a number of Catholic members, in proportion to the Catholic property and intelligence of the country, and a number of Protestant members, in proportion to the Protestant wealth and respectability. In the first place, such a due proportion of the Protestant and Catholic members of the legislature

would preserve pure that feeling of duty, which a sense of common interest and a fair representation in the state must give birth to. In the next place, it would equipoise any tendency which either might have to encroach upon the supposed interest of the other; and lastly, and above all, such a proportion of Catholic members would convince the people of Ireland and of this country, that the measure of relief was a *bona fide* efficacious one; not like those former measures which worked very well on paper, but were of no practical benefit.

As he had touched upon the state of Ireland, he might, perhaps, be allowed to refer to the remedy—the only specific charm—which the hon. member for Newark had proposed for the admitted evils of that country. The hon. member said, the remedy lay in establishing the poor-laws in Ireland. Now, the present was not the fit time to discuss the expediency of such a measure; so that he would only observe, that, admitting its expediency, the hon. member's then proposing it as his specific remedy was an error of the same kind, as if a person on entering London in 1665, when the plague was raging, and who on seeing thousands dying in the very streets, forlorn, abandoned, without friend or relation to close their eyes, would ask, what was the cause of all this desolation? and was answered, that it was all occasioned by the absence of the friends and relations of the sufferers: so with the hon. member; he was told of the state of Ireland, arising from a long system of misrule, and he came forward with a proposition for establishing a legislative provision for the poor, as the only specific remedy for that state. The hon. member said—"Send the Irish absentees back to their native residences, give the people employment, establish poor-laws, and you will improve the condition of Ireland." This certainly, might be all very good at a proper time. But, at present the question was—how the discontent was to be allayed—how the plague was to be stayed in its progress. Do this by removing grievances that had long oppressed the people of Ireland, and then the hon. member might submit his other remedies and preventives. The hon. member had quoted the opinion of a right hon. relation of his, to the effect that, local oppression, and not the penal laws against the Catholics, was the source of the evils of Ireland. But the hon.

member had misinterpreted the application of that declaration. Had the hon. member consulted the context, as he had done that morning, he would have seen that his right hon. relation alleged local oppression to be one of the immediate effects of those penal laws, which, like a pestilential atmosphere, corrupted and blighted all the energies and proceedings in that unhappy country. He would have seen that to those laws as to a common plague, might be traced all the evils, which could not be attempted to be remedied until the great measure before the House had been put in force; and he would have seen that his right hon. relation had described those evils as being less local than civil, and all requiring the one great remedy of Catholic emancipation. An hon. baronet (sir R. Inglis) had talked of Ireland as if there were something in the soil—some fatality that prevented any change in that country but a change of evil. He had stated, that long before the Reformation—long before the distinction between Catholic and Protestant was known—that unhappy country was in a perpetual state of discord and disunion. But the hon. baronet had not informed the House of the cause of this early discord—a cause that was still in force, and that would not fail to produce the same effects as long as it had existence, and that had been, in the days of queen Elizabeth described as accurately by sir John Davis, as they could be at the present moment. That able and impartial eye-witness stated, that the evils of Ireland were not consequent upon one part of the inhabitants being Catholic and the other Protestant, but because one party in that country excluded the other from an equal participation of the benefits of the laws. What sir John Davis stated to be the cause of the evils of Ireland in his time, was in force still, and was the cause of the evils of the present day. "From the earliest times," said that writer, "of the English government of Ireland, it seemed to be the rule of policy, that the native Irish should some way or other be not admitted to the privileges of the constitution equally with the English residents: and in order to perpetuate the ascendancy of the latter, the governors of Ireland had determined to oppress the former as much as possible. Accordingly, it has been the system of rule in that country for the last four hundred years, to attempt by all manner of means, to root out

the native Irish altogether." That system has been acted on ever since the time of sir John Davis, in some form or other; and with consequences which would last so long as the laws against the Catholics remained unrepealed.

It had been stated, that there was no new ground of expediency for the present measure of his majesty's government. With respect to that point, which had been urged in petitions, to which he had listened with the greatest attention, he would say, that there was a natural, an honourable pride, in admitting Roman Catholics to an equality of civil and political privileges with ourselves. There was another topic urged in those petitions, which had been so often discussed, that he could not then take up the time of the House by commenting at length upon it; namely—the almost universal assertion in them, "Do not give political power to the Roman Catholics, for it would only rebound to the ruin of the Protestant establishments." Upon this he would merely say, that the necessary effect of the present measure would be, to remove all ground for entertaining any apprehension of the integrity of our Protestant institutions, in church and state, in Ireland no less than in this country. Did hon. members recollect the safeguard of the peace of Ireland that the government had had in the Catholic Association? Did they think that an end should be put to the ignoble safety which that body had so long afforded? Was it necessary to maintain a large army in Ireland, in time of peace, to guard the Protestant establishment, against the attacks of Catholic powers? He should suppose not, and that no alarm need be entertained from the measure of government giving additional political power to the Catholics. And for this reason,—if danger was to be apprehended from giving them political power, that danger had for some time existed, for they had political power already. If the will to do injury to the Protestant establishments existed, the power to exercise that will also existed; and all that the measure could effect in that point would be, to check and direct that power. As it would tend to diminish instead of increase the political power of the Catholics to do injury to the Protestant establishments, he would give it his most cordial support, and in so doing would act in accordance with the prayer of the Protes-

tant petitions, "to diminish and not increase the political power of the Catholics." That measure, he contended, was essential to the safety of the Protestant establishments,—which common sense would teach them had better be legislated for at the present moment, than in the midst of a future storm. Those, therefore, who opposed concession to the Catholics on the ground of its being dangerous to the Protestant establishments, in his mind, pursued a very injudicious course; for the veriest advocates of these establishments now contended, that concession was necessary to their safety—nay, to their probable existence.

If, then, the principle of the right hon. Home Secretary's bill was right,—that is, that Ireland would be tranquillized by it,—the great problem that had for years puzzled the British legislature would be solved. That problem was to at once tranquillize Ireland, and to preserve the Protestant establishment of that country; so that so far forth as Ireland was tranquillized, so far was the safety of its Protestant institutions ensured. The *malus animus* apprehended by many zealous friends of the Protestant church in Ireland from the Catholics, against that church, would be destroyed by the right hon. gentleman's measure. But supposing it would not—though he was himself convinced it would entirely—he would ask, whether that *malus animus* would not be more difficult to contend with, under existing circumstances, than if concession had been granted? Therefore, with a view to contend more successfully with that spirit of hostility to the Protestant establishments, was it not the better course to remove the pretext for that spirit, by admitting the Catholics to the benefits of the constitution? History informed them how much the relative situation of the Protestants and Catholics had altered. There was once a period, when a broad and deep line might have been and was drawn—he would not say how justly or unjustly,—between the professors of the two religions. But that time had long since passed away. The time, however, he repeated, once existed, when a broad and deep line of demarcation was drawn between the Catholic and the Protestant—a line that, from its very depth and darkness, tended to destroy the monstrous and unchristian division it created. That line was nothing less than a total prohibition of the Ro-

man Catholic form of worship; "but that line," said the hon. member, "you were obliged to deviate from by granting religious toleration to the Roman Catholics. You deviated still further from that line; for in addition to a toleration of the Catholic religion, you invested its professors with civil rights, with a civil franchise—the all-important elective franchise. And are you to stop here?" What, then, was next to be done; for so far those deviations were in the spirit of the constitution, and it was seen that the civil franchise was not only compatible with the toleration of the Catholic religion, but with the integrity of the Protestant establishments. "Was the broad line of demarkation which you have already touched, in more than one point, to remain in its present state? You deviated from that line when you granted religious toleration to the Catholics; and what were the mischievous effects? You deviated still further, when you invested that body with civil rights; and what were the bad consequences? You bestowed the elective franchise; but upon whom?—the lower orders of the Roman Catholics; and will you refuse any boon to the Catholic gentry—to those of that communion who are wealthy and educated?"

The hon. member for Newark had said last night, that the constitution required two qualifications for office—one of which was, that property, as opposed to numbers, should be a condition for office. If so, he begged leave to ask that hon. member, whether the elective franchise that had been granted to the Catholics was not a violation of the constitution; for that franchise was not on the principle of property against numbers, but as events had shown, of numbers against property? The effects of conferring that franchise, without doing more, had been clearly and forcibly predicted by lord Plunkett,—had been urged over and over by Mr. Canning,—had been incontestibly proved at the Clare election. Things could not stop there: either less should have been done, or more must be granted. Notwithstanding the declaration of the hon. member for Newark, he would contend, that granting the Catholics all they had so long and so anxiously and so unremittingly sought for, and what every law of religion and nature entitled them to, was in the spirit of—was in fact perfecting—the constitution. The majority of its adhe-

rents, he repeated, would, under the worst circumstances, uphold the Protestant established church of the country. Supposing the measure before the House should have an effect contrary to what its supporters confidently predicted, let the House look to the different situation in which the Catholics would stand in relation to the Protestants, if they were admitted to the benefits of the constitution, and if they were permanently excluded. In the latter case, as they now stood they presented no tangible point for the legislature to lay hold by; in the former, they would be a distinct body. By exclusion, the Protestants were rendered a divided body, contending against a united body of Roman Catholics; by concession, they would be a compact body against a divided body of the latter; and no one sect or party would be opposed to the other. Besides, the government and the legislature would not be liable to the imputation of having broken their promises in the case of the union of Ireland. They would no longer have the perfidy of that measure whispered in their ear—that the good faith of ministers had been pledged only to be violated. But he need not argue further on the no-danger of further political power to the Catholics, for the sense of common interest alone justified the present measure of concession.

The next point he would call the attention of the House to was one dwelt upon by some hon. members, and urged in some of the anti-Catholic petitions that had been presented during the session. The point was, that as the members of that House had taken an oath, or made a declaration, that the Roman Catholic religion was idolatrous and damnable, they would be guilty of a legislative crime if they admitted its professors to the political advantages of the constitution. This point had been urged in and out of doors; among others by a clergyman who had published a pamphlet upon it. Now, he begged leave, in reply to that argument, which had been strongly made and circulated, once for all to protest against an opinion, that the admission of the Roman Catholics to civil power was a question between the comparative purity or excellence of the Protestant and Roman Catholic religions. For himself, and those who had invariably advocated concession to the Catholics, he must disclaim such a

notion, so preposterous that he would not have noticed it had it not been so repeatedly and zealously urged. With respect to the oath alluded to, he took it, and that not lightly, nor as a matter of form. He was prepared to show that it expressed his fixed and deliberate opinions. Still he must say, he never took the oath against transubstantiation without wounded feelings, as he was sure was the case with other hon. members.

Reference had been made by hon. members, and among others by the member for Newark, to precedents which he must say they had no right to refer to, unless they were distinctly prepared to follow up the precedent in its totality. When such references were made, it was but fair to expect a consistency in those who made them. If hon. members referred to precedents to justify them in refusing further concession, they ought to be prepared to go the whole length, and to cut off all connexion whatever with those from whom they were with-holding the entire benefits of the constitution. Hon. members were very scrupulous about endangering the Protestant establishment of the state, by granting the people of Ireland their civil rights; but they were not equally scrupulous in extracting as much revenue as they possibly could from that country to support those very Protestant establishments. They felt no scruples—they saw no difficulties—in keeping up in, and drawing from, that country, a large military establishment to keep up those Protestant institutions. Honourable members, when reminded of the three million of revenue annually drawn from Ireland, and of the three million of income derived from our commerce with that country, said “it was all right: commerce was beneficial to all parties, and would improve the condition of the Irish.” When they were told of the thirty-one thousand soldiers that Ireland supplied to maintain the honour and power of the country, they replied, “That’s all well: the Irish are brave soldiers, and, after all, are just as true as ourselves.” If, then, the Roman Catholics have contributed by their labour, their commerce, their property, and their blood, to support and uphold the Protestant establishments of the country, it was too much that they should not only not put forth their unhallowed hands to touch the ark of the constitution they had helped to preserve, but that parliament must moreover turn round

upon them, and charge them with being wretched idolaters, unworthy of the benefits of the constitution. This, even, was not the only grievance of their most unjust treatment; for the very test by which they were prohibited from entering that House threw open its doors to individuals of all other persuasions without discrimination. He repeated, to all but Catholics the test was no disqualification. It therefore had been justly characterised by lord Plunkett, as a purely negative disqualification, and by no means a positive condition or qualification for a seat in the legislature. All that it ascertained was, whether the person taking it believed in particular tenets of the Catholic religion; therefore, it might be taken by persons of every other denomination, or by persons of no religion whatever. So that the individual held not those peculiar dogmas of the Catholic religion, he might be without any other religious opinions. The test admitted of all other systems of faith, or of no faith—of scoffers—of infidels. On this point he begged leave to allude to a declaration upon which the hon. member for Newark had insisted with much warmth. That hon. member, after stating that the constitution required a pecuniary qualification, said, that it also required a religious qualification—that is, that all who partook of it should be Christians. But he put it to the hon. member how that religious or christian qualification could be insisted upon; for he contended most emphatically, that the oath required from the members of that House did not, could not, determine whether the individual who took it were or were not a christian—only that he was not a Roman Catholic. When, then, the hon. member thought proper to insist that the constitution required, as a cardinal point, a religious qualification, he ought to have stated, if he was aware of the fact, that it had provided no test of such qualification, and only could ascertain whether the members of that House did or did not believe certain tenets of the Catholic faith.

England was united with Ireland by the indissoluble laws of nature, and all common sense and common reason declared, that, under such peculiar circumstances, the people of the two countries should be united together in one body, combined for the maintenance of their common interests, and their mutual protection, and amalgamated into one society

by the laws of man, as well as by the dispensations of Providence, under one common constitution, whose benefits were intended, not for the exclusive possession of either, but for the enjoyment and advantage of both. Such, as he understood it, was the genuine spirit of the British constitution. That the British constitution recognised as a permanent and vital principle, the principle of exclusion, he, with every respect for the hon. member for Newark, would beg leave utterly to deny. He had heard that hon. member endeavour to prove that the British constitution was founded upon a system of exclusion, but, in his opinion, the hon. member had completely failed in the attempt. The British constitution was not erected upon such a narrow basis. It recognised no such principle. Equal protection to all was the leading principle of that constitution. It was intended to extend its benefits to all, without distinction; every subject in the realm was entitled to a participation in its privileges; and it contained within it no such principle as that of the permanent exclusion of any portion of the people. Its spirit went not to divide the population of these countries into classes or castes, or to raise up a wall of separation between one class of fellow-citizens and another; but, on the contrary, to place them all upon an equal footing, by the communication of equal rights and equal privileges. Such was the English constitution, as contradistinguished from that caricature of it, which had been given to the House by the hon. member for Newark. That constitution admitted all to equal rights, under equal circumstances; and there was no reason whatever for saying, that the admission of the Catholics would be a violation of the spirit or meaning of that constitution. When such was the case—when both from the ordinances of the divine law, and by the unanimous testimony of history, it was certain that those countries must continue united—when the seal of nature was affixed to the bond of connexion between them—surely reason and common sense combined to induce them to enforce the spirit of that compact by human legislation, and to knit the people together in interest and affection. That was the language of common sense and reason, and the admonition came to them even from more sacred sources. The strong reasons which the necessity of the case afforded to justify the course which

had been adopted by the government were enforced by the highest authority to which man could appeal; and Divine Providence, in joining together those countries by natural and indissoluble ties, admonished them to live together as one and the same people, in the bonds of peace and mutual goodwill.

When they had such high authority on their side—when the interests of charity, the conciliation of Ireland, and the security of the empire demanded their interposition—it was impossible for his majesty's government to have adopted any course different from that which they were now pursuing, and which was authorized and sanctioned at once by the obvious dispensation of Divine Providence, by the laws of nature, by the dictates of reason, and by the urgent appeal of wisdom and necessity. The government had brought forward this important measure, to effect the great object of restoring peace and tranquillity to the country. It was a measure which, therefore, deserved the aid of every man desirous to promote the interests of the empire at large, and it should have his humble but sincere and most cordial support. He supported it because he conceived that it would be followed by a train of blessings to the country—he supported it because he considered it a measure of peace, tranquillity, and conciliation,—and he would answer the objections of its opponents by quoting to the House the beautiful sentiments contained in the conclusion of one of the speeches of the late Mr. Canning—"Let us not stop short from any feelings of false pride; nor incur the responsibility of having taught a people to seek for general peace at our hands, and of then forcing them to retire back upon themselves. Let us rather, in the language of both Liturgies, exclaim *sursum corda!* Let us raise our hearts to the Dispenser of all good; and, with that elevation of soul, let us proceed in that great work which we have begun, and which, sooner or later, will find its own way to the final consummation so devoutly to be wished by all good men" [cries of hear, hear].

Mr. Trant said, he felt some reluctance in offering himself to the notice of the House after the very eloquent speech which they had just heard; but he was anxious to seize the opportunity to express his decided opposition to the measure which had been so strongly advocated by the hon.

member who had just sat down. That hon. member appeared to him to have proved a great deal too much. If he understood any thing of the argument of the hon. gentleman, it went to this, that the religion of the majority in Ireland should be the established religion of that country. That was the course of the hon. gentleman's argument, and that would inevitably be the consequence of pressing the present measure—a measure yielded to the clamour of the seven millions in Ireland, of whom the hon. member had spoken. The hon. and learned member had also endeavoured to show them that there was danger in the condition of Ireland, and that therefore we ought to grant the Catholics relief. On the other hand, they had been assured by the right hon. Secretary for the Home Department, that there was nothing to fear, not only not in Ireland or England, but in the relations of this country with foreign powers. Here, then, was the hon. gentleman in direct opposition to the right hon. Secretary. "Who shall decide when doctors disagree?" How should a poor, humble, stupid man, like himself, venture to decide, under such circumstances? It had been said, that the principles of the Protestant constitution were against exclusion; but he should like to know what had been the principles of the constitution ever since the time of Charles the 2nd? Had they not been founded on the utter exclusion of the Roman Catholics from all share of political power? He should take the liberty of referring to bishop Burnet for a proof of the correctness of his opinion. Bishop Burnet was a councillor of king William's, and he had been called in that House and elsewhere a liberal prince. [The hon. member here read a passage from bishop Burnet, setting forth the aspiring nature of the Romish church, its clergy not being able to keep themselves quiet, even when masters, which had made king William disinclined to admit them to power.] History proved that the exclusion of the Papists was one of the principles of the constitution of 1688; and yet he, and those who thought with him on the subject, were called dolts and bigots, because they asserted the fact. The Roman Catholics themselves avowed their ambitious projects. Over and over again, in their writings, and in their speeches, had they said that they would not be content with equality. Authorities of a contrary character had been quoted, but for one such

he could produce ten that confirmed him in his opinion. Let them, then, prevent the accession of these ambitious men to power: let them endeavour to guard the blessings for which their forefathers fought, for which their forefathers bled. He should so act by God's blessing to the latest moment of his life. He was old enough to remember that, in the year 1794, when greater danger existed in Ireland than there had since, or than there did now, Mr. Pitt, upon his own responsibility, had applied the remedies which the exigency of the case required. It was most painful to read the language used towards the Irish themselves by a noble marquis, whose duty it was to enforce those laws which were passed for the purpose of tranquillizing the country. Government had allowed the evil to go on year after year without any attempt at resistance; and they then brought in an inefficient bill, instead of effectually suppressing the evil at once. They had so far neglected the government of the country, and had so suffered its laws to be abused and evaded with impunity, that the Protestants had been obliged to unite for the defence of their properties, their lives, and their children. It was not the friends of the Protestants who had done this, but his majesty's government; and in order to get them out of their scrape he would not surrender the constitution. The hon. member having then passed a high eulogium upon the speech of the hon. member for Newark, agreeing with him in the nature of the remedies proper for Ireland, said, that, if the present measure passed, Ireland must become absolutely and entirely a Catholic country. He was convinced that, in addition to their other mischievous consequences, all propositions calculated to tranquillize and benefit Ireland would be greatly retarded, if not entirely frustrated, by the adoption of the measures now proposed. Nor was the apprehension of such a state of things confined to Ireland. He would ask the right hon. Secretary if, under the proposed bill, a Jesuit might not be prime minister of England? Let the right hon. gentleman answer that; and if he answered it as he knew he must do, in the affirmative, let the House consider what might by possibility be the result. For himself, a great deal was passing in his mind upon the subject, of a very painful nature. Who could predict what might occur, if there were at the same time a Jesuit prime minister, and a Ca-

tholic favourite of the female sex [a laugh]? Hon. members might laugh if they pleased, but it would be no laughing matter if it came to pass. The right hon. gentleman had, early in the session, let drop the ominous words of "if the hon. members did but know all that I know!" Now, he had anxiously listened ever since, in expectation that some explanation of those mysterious words would be given. The right hon. gentleman has said this, that, and the other, but nothing to the purpose. The hon. member for Inverness had particularly alluded to the obligations which this country owed to Ireland. He did not mean to undervalue the obligations which the hon. member had mentioned, but there was one delicate and important point connected with that subject, on which he wished to say a few words. He alluded to the very great numbers of Irish soldiers that there were in our standing army. Most hon. members, at least it was the case with himself, who was not in his majesty's government, were obliged for a great deal of their information to the publications which they found upon their breakfast tables. Now, he had learnt through those vehicles of information, that a Catholic priest had lately, in his chapel, after divine service, made an harangue to the soldiers that attended, which the officer who was with them thought objectionable, and therefore reported to his superior. Through the same source, too, he had learnt that nearly at the last meeting of the Catholic Association several officers had entered the hall in their uniforms, and were loudly cheered. These circumstances made a deep impression upon his mind. If so considerable a proportion of the standing army was composed of Roman Catholics, and they were told that they could not resist the present demands of the Irish Catholics, he, for one, was prepared to hear ulterior demands made; and had not such a confidence in the right hon. gentleman's firmness, as made him think he would resist those demands. Ever since he had had the honour of a seat in that House he had never missed a single night's attendance; nor should he as long as he could raise his feeble voice in defence of the constitution. The hon. member concluded by saying, that the Catholics would never be satisfied with any thing short of absolute ascendancy, and a king of their own upon the throne.

Mr. Horace Twiss rose and said:—If,

Sir, I have hitherto abstained from troubling the House with my reasons in favour of the present bill, it was not from any abatement in the zeal which I have always felt for the measure, but because I hoped that by waiting to ascertain what points might most require answer or explanation, I should fulfil most usefully, and with less fatigue to the House, the duty owing to this measure, which has been called a bold one, but which I will venture to designate as being at once the boldest, and the safest, that was ever propounded for the settlement of an empire. The strongest way in which I have lately heard the main argument on the other side stated, is in the form of the question, whether, since the Catholic church is the avowed antagonist of our own, it will be prudent in us to share our political power with six or seven millions of our adversaries? And that question is asked, as if we, the Protestants, being two-thirds of the whole British empire, were straightway proceeding to invest the Catholics, who form the remaining third, with the immediate possession of some given proportion of the legislature, and of all the offices and honours of the state. That is a very ingenious, but is it a fair way of representing this matter to the people? Those who talk that language know very well, or if they do not, they have no business to talk on such subjects at all, that it is not the possession of office—that it is not the possession of Parliament, which this bill proposes to bestow, but only the capacity to hold office, and the capacity to sit in parliament. The distinction is surely a broad one, between giving to any man an actual benefit, and giving him the mere leave to receive that benefit if he can get it; and that is just the distinction between the bill itself, and your version of it. Suppose you should be pleased to repeal the law which requires a landed qualification for parliament—a qualification which ninety-nine in every hundred of our countrymen must of course be without, though none of them be actually disabled from acquiring it—you would then make a hundred persons eligible, for one who is eligible now; but would that extended eligibility take away the power of parliament from the few who have it, and throw it into the hands of the innumerable multitude who have it not? It is only on the subject of Catholic eligibility, that any man will put on gravity enough to predicate such a consequence. Yet, only get rid of

this one fallacy about the possession of political power—only get rid of this one confusion between the grant of power and the grant of eligibility for power, and with three-fourths of the people, I believe that the difficulty is cleared up.

But, the councils of the king being once thrown open to the Catholics, how, it is asked, will you protect his majesty against their evil advice? Sir, the access of Popish servants to the king was provided against by the same statute of Charles the 2nd, which excluded Papists from parliament, and which it is one of the objects of this bill to remodel. Now, if this facility of approach to the king be really attended with so much danger to the constitution, how has it happened, that the wisdom of our Protestant legislature, which has so long kept up the bar erected by the statute against the machinations of any Catholic in parliament, should have expunged from the statute, as in the last reign it did expunge, the prohibition that kept away Catholic servants from the king? In the present state of your law, which you deem so satisfactory and so secure, the Papist, whom in his open responsible character you reject and dread, is at liberty to frequent the very closet of the king, in a private irresponsible capacity [hear].

But, when the Catholics shall once be admissible to be peers, a king, if he be of a Popish way of thinking, may increase their number, till they amount to a majority of the other House of parliament. I will not go so far in imitation of those whom I am opposing, as to draw, like the hon. member for Newark, distinction between the moral and the legal title of the sovereign, or to inquire what became of the one king who pursued a Popish policy against the feeling of his Protestant subjects. There is no necessity for entering into these distinctions, because the hypothesis, that the king may be of a Popish way of thinking, is, on the principles of the anti-Catholics themselves, an impossible one. They hold, and very justly, that so long as the Coronation Oath subsists, which is and must remain the security for the Crown, the sovereign who takes that test must be a Protestant and nothing else; and then they build an argument on the supposition, that such a sovereign may, nevertheless, be a Catholic. Why, Sir, if he may, then so may the peers and the members of parliament who take

the existing oaths, be Catholics; and then to what value do you reduce those existing oaths, on which alone you rely at this hour for the exclusion of any Catholic at all? That some Catholics will find their way, not only into the House of Peers, but still more into this House of parliament, no man of course will deny; indeed, that is one of the direct objects of this bill. But if the opinions of those who are best acquainted with Irish affairs may be taken, the representatives, even from Ireland, after the alteration in the franchise, will be very few—will be to be counted, not in tens, but in mere units: for, on the then improved order of electors, the Protestant landlord will probably have that influence, which, on the present very humble class of voters, is exercised but by the Catholic priest. But, suppose that a really considerable number of Catholics should find their way into both Houses of parliament, and into office likewise;—let me ask, from what view of our history it is that the opponents of concession deduce the apprehension they are so eager to spread, of a divided allegiance and a collusion with Papal or other foreign influence? The Roman Catholic parliaments and councillors who passed the statutes of præmunire and provisors, which annihilated the political, and almost the ecclesiastical power of the Pope in these realms, were not Protestant, but Catholic statesmen. Was their allegiance, then, divided between England and Rome? The Catholics who passed the Statute of Mortmain, by which the land was rescued from the reach of the Pontiff, did they give to Rome a share in their allegiance? The Catholic cantons of Switzerland; the Catholic provinces of the Netherlands; the Catholic subjects of Hanover; the Catholic inhabitants of Canada—were they, or any of them, ever suspected of any division in their allegiance? Really, in the teeth of all these facts—in the face of all this experience—to press upon us still the argument of a divided allegiance, is not more a libel on the loyalty of our ancestors, and of our fellow-subjects, than it is a slur upon our own understandings.

An anxious attempt is kept up to identify the exclusive tests with the exclusion itself—to persuade the people that, in the repeal of these exclusions, the constitution too receives her death-blow. The hon. member for Newark is of opinion, that the analogies of the constitution require us to

exclude the Catholics—that as we have a pecuniary, so we ought to maintain a religious, qualification. Sir, there is this difference—that the pecuniary qualification may be obtained by any man through his own honest industry; but the religious qualification can be obtained by the follower of the excluded faith only through a crime against his Creator. Without that crime, to qualify is impossible. Every man in that situation is not only unqualified, but disqualified; and though the principle of the constitution may consistently recognize the pecuniary requisition, which is only a qualification, it will not therefore sanction the religious requisition, which amounts to a disqualification. The constitution, says the hon. member, demands a moral as well as a pecuniary qualification—that he whom it admits be a Christian. It does no such thing—there is its defect. He may be a Pagan, or a Deist, or an Atheist—any thing, so he be not a Catholic. The constitution has not said, that Christianity shall be indispensable for admission into parliament; but if it had said so, does the hon. gentleman mean to state, that Catholicism is not Christianity? If it be not, then for the first thirteen centuries after Christ, Christianity had no existence in Christendom. I trust that the debates in this House are beginning to undeceive the people; to make them understand that exclusions and tests are no part of our constitution, as it was wrought by its founders; that its basis, its essence, is the common-law of the land, which proclaims the competency of every natural-born subject to all benefits whatsoever; that the earliest test ever imposed—Queen Elizabeth's Oath of Supremacy—was of such a nature as not to have hindered the sitting of very many Catholics in parliament, which they accordingly continued to do through the whole of her time, and through the time of the three first Stuarts—uniformly in the House of Peers, where even the Oath of Supremacy was not required to be taken, and not unfrequently in this House of parliament likewise; and that it was not till towards the close of the reign of Charles the 2nd, that they were actually excluded from parliament on the memorable averments of Dr. Titus Oates. Indeed, it can never be too widely proclaimed, that the great protecting principle of exclusion—the work which the hon. member for Newark, and other good Protestants,

delight to describe as the foundation of our glorious settlement—is the work, not of king William, as people are apt to imagine, nor of the statesmen of an earlier time, but distinctly and specifically of Dr. Oates. It may be to kings and to parliaments that we are obliged for the mere rights and liberties we enjoy; but for that main characteristic, that best jewel of our constitution—the exclusion of our fellow-subjects—for that we are indebted to the labours of Dr. Oates [hear, hear].

Sir, I doubt whether even the negative praise, if praise at all it be, of not disproving the exclusive tests, can be justly ascribed to king William. Though the necessities of the state may have justified the breach of the Treaty of Limerick, by which William guaranteed to the Catholics their religious liberties and franchises, the very formation of that treaty is, at all events, an evidence to shew, that permanent exclusion was no part of the policy of king William. However cogent the circumstances which may have influenced the government to swerve from that treaty after it was made, you will hardly assert that king William intended it to be broken, when he made it—that, through the whole of his negotiations upon it, he carried on a sustained, intentional falsehood. If he was thus false—If one Protestant king was such a Jesuit—he makes but a slippery rock for the foundation of a Christian church! But if, on the contrary, he was sincere in treating the Catholics as admissible to be citizens, he not only is no authority against the principle of this bill, but he is actually authority for it.

And now comes our turn. We, too, have our arguments from the constitution—not from the constitution, in the narrow sense of those who limit the word to the special enactments of 1688, who think nothing of the broad beneficial rule, and set their only value on the invidious exception; but from the constitution, in the larger sense of those who extend their view to other provisions than that of exclusion, and to earlier, though perhaps not greater, benefactors than king William. My hon. friend, the member for Corfe Castle, has not explained sufficiently to make me understand why the particular period of 1688 should be pressed, by Ultra-Protestants, as the only point of reference in these discussions. The Revolution saved these kingdoms: be it so; but did it first impart the Protest-

ant character to our constitution? Was king William the first Protestant sovereign of these realms? Why, Sir, the constitution was just as Protestant under queen Elizabeth as it was under the House of Orange itself; and it was only by his defection from this indispensable Protestant creed, that king James ever forfeited his crown. If the problem were, to steer the nation through some conflict between liberty and arbitrary power, the Revolution might well be assumed as our polestar; or, if we wanted, in some civil war, an example how to crush the strength of our adversaries, the Revolution might well be cited as our precedent. But out of the whole history of our Protestant constitution, from the reign of Elizabeth to the repeal of the penal statutes under George 3rd—out of that entire history, to choose the agitated period, when a monarch had just been dethroned, and when a bloody struggle for his restoration in that part of his realms which was, and is, most especially Catholic, precluded all calmness of deliberation, and made even the extremes of illegality warrantable; to select such a period of compulsory legislation, as the pattern æra of our church and state, for the purpose of irrevocably binding a peaceful posterity, is a boldness which, even by its frequent repetition, has not yet ceased to be astounding. It is neither more nor less than to draw civil precedent from martial law [hear]. Sir, when lord Treasurer Middlesex had been found guilty by his peers, on impeachment for certain corruptions, and sentenced by them, that he should never sit in parliament more; lord Clarendon, no vulgar judge of British law and the constitution, questioned that sentence, as being, says he, “a clause of such a nature, as was never before found in any judgment of Parliament, and in truth not to be inflicted upon any peer but by attainder.” Unless there not only have been a crime committed, but unless that crime be of magnitude sufficient to warrant the extremity of attainder, a sentence of incapacity to sit in parliament is an unconstitutional sentence upon an individual peer. Upon an individual peer! Why here is a sentence upon an entire order—upon an entire nation! The well known solecism in constitutional policy, which drew down the indignant ridicule of Mr. Burke, was the preferring of a bill of indictment against a whole people;

but you go infinitely further; you visit a whole nation with a bill of attainder.

But if Ireland is no longer in a state of war, to warrant a rigour beyond the constitution, is she in such a state of tranquillity, as to indicate that the system of rigour has the merit of working well? Good God! what spectacle is it which, for the sake of the constitution, the lovers of social order are so anxious to perpetuate in Ireland? The whole of her great population in a state of ceaseless excitement—confidence and even commerce suspended—the kindly feeling between the higher and lower classes intercepted in its current—the natural influence of the oldest families, in the heart of their domains, in the centre of their clans, paralysed and overthrown—massacre and burning, and banding together—enmity transmitted from father to son, and the blight of suspicion and fear! A military force making Ireland one vast and costly cantonment—the poor, from their scanty pittance, clubbing towards a general fund for what they deem the common deliverance—the peasantry, through every second or third winter, besieging their neighbours in their houses; and the government, in the spring, by an Insurrection act, or a proclamation of martial law, reduced to suspend the seditions and the constitution together! These are not fictions nor exaggerations: they are facts, recorded in the Statutes on this table. When gentlemen speak with such timid scrupulousness about the danger of the slightest infringement on the constitution, let me ask them what they think of such Statutes as these?—whether they think either the letter or the spirit of the constitution is much preserved by the act, for example, which we have been under the necessity of passing in this very session, for the suppression of popular meetings? Or will they bear to have it said, that they are ready enough to make a breach in the constitution for purposes of prohibition and punishment, and that it is only against conciliation and kindness that they would keep it perpetually barred.

Sir, when we say that for these reasons the weight of the constitutional arguments on which our opponents would faintly rely, is, in truth, with us, and not with them, that ground is little shaken by the reproachful allusion of the hon. member for Newark to the opinions on the constitution, often stated, in former debates,

by my right hon. friend, and by some others of the recent supporters of this bill. For let it be still admitted, as they were wont to argue, that a measure of this kind is a departure from the pre-existing scheme of the government, it is no departure from the spirit on which that scheme was constructed. On the contrary, it is precisely to that principle, which warranted the settlement of Ireland in king William's time, that in her present peril we appeal to warrant her settlement now: the principle of moral necessity, on which the parliament of king William proceeded so far, as to infringe the very first canon of the constitution—the succession itself; the principle, in short, that the constitution is for the people, and not the people for the constitution. And, surely, if the *salus populi* was a supreme sanction when it called upon the parliament of William the 3rd to enact the disfranchising laws, it cannot be less supreme when it calls upon the parliament of George the 4th to repeal them.

Sir, these apprehensions of danger from the admission of Catholics into the pale of the constitution were at no time very reasonable; but, what shall we say to them at the present day, when, for the very want of that power which the Catholics might gain by admission, they enjoy another power of ten times its magnitude and mischief by exclusion? I speak not now of their legal rights—their right to serve on juries, in the magistracy, in the army and navy. I speak not of the momentous franchise of returning representatives to parliament; but I say, that they have physically outgrown your early laws—that amid the darkness which surrounds them on every other point, they have acquired a singular knowledge of their own strength—that knowledge which, above all others, is, emphatically, power. Look at their numbers—at the talents and surprising energies of their leaders—at their hold upon public, even upon Protestant opinion—look at the funds they command, at the insecurity they spread, at the paradoxical contrast between the disorders they can commit and the order they can preserve—think of all these elements of mischief, even now fermenting for your disquiet, and then answer, whether the time is not gone by for talking of the Catholics, as a body whose power is to be created by your concession

or stifled by your refusal? Their position is best described by the fallen angel, when he exclaims—

“We are at worst
On this side nothing; and by proof we feel
Our power sufficient to disturb his Heaven,
And, with perpetual inroads, to alarm,
Though inaccessible, his fatal throne,
Which, if not victory, is yet revenge.”

In that position it is not for the safety, it is not for the dignity of the British crown, that the people of one of these kingdoms should remain—and, from that position, this measure displaces them. It detaches their leaders by a more hopeful career of ambition—it disbands their numerical force—it leaves them with no longer an object to contend for, and no longer a weapon to wield.

But if still, in spite of all that reasoning can accomplish, you persist in your dread of concession—if the fear of the dangers which you think so great is a principal and allowable ground of objection on your side, what right have you to say that the fear of other dangers, which we think greater still, is not a legitimate and statesman-like apprehension on ours? Surely we have as much reason to fear the continuance of a mischief already existing, as you have to fear the occurrence of a mischief which is only in supposition.

But what further plea, it is asked, have ministers for relaxation now, than they had in any former year? It might be a sufficient justification to refer to the Clare election; but there is another still more unanswerable—the continued repetition of disappointment from the opposite policy. If at the commencement of the five and thirty years which have elapsed since lord Fitzwilliam was sent to Ireland by Mr. Pitt, it could have been foreseen that so great a lapse of time, instead of bringing with it any cure, any alteration, would only leave the condition of Ireland where it now stands, is there any man amongst those loudest against concession, who will say that, with that knowledge before him, he would have counselled his sovereign to begin this hopeless series of disasters. And if not can there be any inconsistency now in finally relinquishing so unsuccessful an experiment? Men censure these proceedings, as if ministers had been actuated by some unworthy motive, some interest of their own. Why their interest, on every account, was to leave the matter where it lay, if so to leave it had seemed to them to be pos-

sible; and, if that did not seem possible, which was the more manly course—to do themselves what they felt indispensable, or to retreat from office, for the purpose of throwing the odium on some sudden administration that might succeed them? I will not vouchsafe to take a tone of apology, on a subject that merits the highest eulogium.

But, whatever it became ministers to do, let us inquire what it becomes us to do ourselves. Whatever the circumstances which may have justified a change of counsels in the government, a change in those anti-Catholics, who are independent of it, seems to me to be not only justified, but in reason absolutely compelled. In former years, it was an argument for them to say, the government are not united—the sovereign is not resolved—vague hopes should not be held out to the people. In every one of these particulars the case is changed—the government are united—the sovereign is resolved—the hope has been held out to the people. From the moment his majesty's speech was delivered, the whole consideration was altered. Whatever may have previously appeared to have been the dangers of concession, I ask my opponents themselves, in the present state of public feeling in England, and of enthusiastic agitation throughout Ireland—after the union of all parties in the government—after the recommendation from the throne—after the universal diffusion of the belief, that the measure, so supported, was sure of ultimate accomplishment, whether they can form even a conception of the dangers which would follow, if they could now prevail on parliament to turn round upon the Crown, by which those hopes had been raised, and refuse the grace recommended? My own opinions having always been in favour of concession, the question whether others were at liberty to change is one of no personal interest to me; but I solemnly declare, that if, up to the moment when I heard his majesty's speech read, I had been as jealous of concession as I always was desirous of it—if I had been as strenuous and as able an opponent of it as the hon. member for Kent or for Norwich, I should have felt that from that moment my duty of resistance was over; and that my course must no longer be to consider what strength might have been mustered, if government had continued to disregard the sullen warnings of the time; but

what, in the present crisis, when hope and passion have been kindled to their height, will be the way to quiet the country, and, if possible, to satisfy it, and, at all events, to save it.

I will not at this hour consider the questions which have been raised upon the choice, if choice there were, among the difficulties that present themselves; nor will I trouble the House at present on the subject of the securities. The best security of all, I believe, will be found in the healing character of the principal measure; a security not resting in provisos, nor acting in penalties, but having its deep and firm foundation in the nature of civil society, and in the interests, the hopes, and the hearts, of the people.

Lord Mountcharles assured the House, that he would trespass on their attention but for a very, very short time. He was, however, anxious to be allowed to say one or two words, with reference to certain observations that had been made in the course of the evening. He hoped the time was come when they would no longer hear echoed within those walls, night after night, and year after year, a series of trite and fallacious observations on this question—he hoped that those observations would no longer be made the mere watchword of a party. In the first place, he would ask of those who represented Ireland as a priest-ridden country to consider a little the situation in which that country was placed. He would ask of them to declare, if their religion was insulted, if their religion was held up to odium and ridicule, whether they would not, from one end of the country to the other, rally in its support? Yet this was all that could be charged against the clergy or laity of Ireland. He did not stand there to defend any acts of insubordination or of riot that might have occurred in Ireland; but, in his mind, nothing could be more degrading to a Roman Catholic freeholder than to give his vote in favour of any man whom he knew to be hostile to his religion. He hoped that Ireland would soon see prosperous and quiet days, and he thanked his majesty's ministers, with the utmost sincerity, that they had enabled him to indulge in that hope; because, but for their interference, years might have gone by, and the situation of Ireland continued as unhappy and as unfortunate as it had too long been.—He had intended to say a few words on the general question, but

the hon. member for Inverness had treated the subject with so much force and eloquence, that he did not deem it necessary to occupy the time of the House with a more particular statement of his own views and opinions. It was, however, with feelings of sincere sorrow, that he looked forward to the disfranchisement of the forty-shilling freeholder. He did not mean to say, that they might not have committed many errors; but he conceived that it was a great hardship, and, indeed, a great injustice, to take away from hundreds of thousands of individuals that sacred right. But he saw, at the same time, that without that act of injustice he could not have the proposed measure of relief, and he therefore yielded, as a sacrifice to mutual concession. He again thanked his majesty's ministers for the course they had adopted; their disinterested sacrifice of personal feelings at the shrine of public duty—acute as those feelings must necessarily have been—demanded the admiration and respect of every unbiassed mind. Such conduct as that of the right hon. Secretary of State for the Home Department would form one of the brightest ornaments of any cause. Let the right hon. gentleman, then, conscious of his integrity, despise the taunts which might be levelled at him—let him look for that reward which emanated from the hearts of a grateful people—let him indulge in those pure feelings which arise from the conscientious discharge of a great duty—and let him, undismayed and unintimidated, prosecute to a happy conclusion those measures which he has so auspiciously begun.

Viscount *Palmerston* rose and said:—Sir; though I should be willing to rest the vote which I shall give in favour of this bill, upon the able and masterly speech of my hon. and learned friend, the member for Inverness, yet I am anxious to state to the House, as shortly as I can, some few of the principal grounds upon which my opinions on this great question are founded. I shall not go into any depth of historical research; I shall not lead the House into the mazes of theological disquisition; I shall rest my opinions upon the present situation of Ireland, a situation which must be the subject of afflicting concern, to all but the enemies of England. The hon. member for Newark, who spoke last night

for the first time in this House, and who displayed a talent and an eloquence which commanded the admiration even of those who differ from him the most, thought it necessary to apologize to the House, for touching at all upon the affairs of Ireland. He seemed to conceive that, in discussing a measure which arises out of the distracted state of Ireland, which has for its object to restore tranquillity and peace to Ireland, which deals with nothing less than the rights and privileges of five millions of the people of Ireland, any reference to the internal condition of Ireland is altogether improper and misplaced. He seemed to think himself at liberty to draw from the ample resources of his mind, every thing which history ancient and modern can afford, to unravel the intricacies of political economy, to plunge into the darkness of theological controversy, to range through every topic from the poor rates of a parish, up to the settlement of the constitution of empires; but that any allusion to the affairs of Ireland is interdicted and forbidden ground. I take the liberty of differing with him entirely in this respect, and wish to rest my opinions mainly upon the present state of Ireland.

Before I proceed however to this consideration, I would advert to some of the remarks which were made last night by the hon. member for Corfe Castle, and by the hon. baronet, the member for Kent, who contended that to repeal the disabilities of the Catholics, would be at variance with the meaning and intention of those men who brought about the Revolution of 1688. In this opinion the hon. member for Newark also concurred, and he asserted that “exclusion is the vital principle of our constitution.” Sir, I reverence as much as any one can do, the memory of those great men who effected the Revolution of 1688; and who rescued themselves and us from the thralldom of religious intolerance, and the tyranny of arbitrary power; but I think we are not rendering an appropriate homage to them, when we practise that very intolerance which they successfully resisted, and when we withhold from our fellow subjects the blessings of that constitution, which they established with so much courage and wisdom. I read a far different lesson from the history of those times, and find in them a salutary warning of the miseries that await that nation, which permits religious opinions to become the watch-word of party-strife,

* Inserted with the permission of viscount Palmerston.

and profanes the sacred word of salvation and of peace, by converting it into the element of political contention. The hon. member for Corfe Castle, however, read us extracts from the Declaration, to which the name of the prince of Orange was attached on the 10th of October, 1688, in order to show that the meaning and intention of those upon whose advice the prince of Orange was then acting, was to establish the constitution upon the basis of disability and exclusion. I do not pretend to say that much of that Declaration is not levelled at the appointment of Papists to places of trust and authority, in violation of the then existing laws, but I say that he very much misreads that Declaration, and takes a very narrow and imperfect view of the great objects towards which it was directed, who fancies that the main grievance of which it complained, was the admission of Catholics to power, and that the remedy which it professed to seek, consisted simply in their exclusion. Whoever will read that Declaration with attention, will see that it arises out of much larger and more comprehensive views, and deals with much graver and more important matters; that it is directed against the attempts which were making to subvert the laws, and to establish arbitrary power; and that it touches upon the illegal appointment of Papists, not so much as substantive evils in themselves, but rather as being indications of deeper designs, and steps towards their accomplishment.

What are then the great grievances which that Declaration* sets forth? Why first, "The assumption of a power, on the part of the Crown, to dispense with the laws of the land." Secondly, "The subjecting of the lives, liberties, honours, and estates of men, of what rank and dignity soever they may be, to arbitrary and despotic power;" and, thirdly, the practice which had been resorted to of "governing without a parliament." What are the circumstances which are set forth as proofs of these abuses? why, instances in which the laws against treason and felony had been dispensed with by the royal authority; cases in which a great deal of blood had been shed in many places in the kingdom by judges governed by the evil counsellors of the king; against all rules and forms of law; and further, the declaration which

had been made by the king in Scotland, that he was clothed with absolute power, and that all his subjects were bound to obey him without reserve; "from all which," the prince of Orange goes on to say, "it is apparent what is to be looked for in England, as soon as matters are duly prepared for it." The Declaration mentions, by the by, certain evil counsellors of the king, and in order to let us know who those evil counsellors were, it states them to be persons who "procured parliament to be dissolved, when they found that they could not prevail with the members to comply with their designs."

Well, Sir, these being the grievances and abuses of which the prince of Orange complains, what are the remedies which he proposes to apply? Why, to have a free and lawful parliament assembled; I presume that the most zealous advocate of the present day for parliamentary reform, or parliamentary dissolution, will not contend that this, at least, is not a free and lawful parliament. For what purpose was this parliament to be assembled? "In order that the two Houses may concur in the preparing of such laws, as they, upon free and full debate, shall judge necessary."—And what are the objects pointed out for this proposed legislation? Why, first, "The establishing a good agreement between the Church of England and all Protestant Dissenters." Sir, it was not till the last session of parliament, nearly a century and a half after the date of this Declaration, that this wise and enlightened recommendation of the prince of Orange has at last been happily accomplished. But the second object of legislation pointed out was, "the covering and securing of all such who would live peaceably under the government as becomes good subjects, from all persecution upon the account of their religion, *even Papists themselves not excepted.*" And as if to make it impossible for any man to mistake what were the real objects which brought the prince of Orange to this country, the Declaration goes on to say, "We have nothing before our eyes, in this our undertaking, but, first, the preservation of the Protestant religion." We too, Sir, who support this bill, are firmly convinced, that this measure will tend most effectually to the preservation of the Protestant religion. "Secondly, The covering of all men from persecution for their consciences; and, thirdly, The securing to

* For the Declaration, see Parliamentary History, vol. v. p. 1.

the *whole* nation the free enjoyment of their laws, rights, and liberties, under a just and legal government." These were the sentiments of that great religious radical, king William. This was the foundation on which he intended to raise a goodly fabric of charity, of concord, and of peace; and upon which his admirers of the present day, are endeavouring to build the dungeon of their Protestant constitution.

If the views and intentions of king William had been such as are now imputed to him, instead of blessing his arrival as an epoch of glory and happiness to England, we should have had reason to curse the hour when first he printed his footstep on our strand. But he came not here a bigoted polemic, with religious tracts in one hand, and civil persecution in the other; he came to regenerate and avenge the prostrate and insulted liberties of England; he came with peace and toleration on his lips, and civil and religious liberty in his heart. So much, Sir, for the principles of the Revolution, and the meaning and intentions of those who brought it about.

But I set out with saying, that I should rest my own opinions on this question mainly upon the present situation of Ireland; and what then is that situation? We have the bitterest civil discord raging throughout Ireland, from one end of the island to the other, absorbing every nobler passion, destroying every kindly and generous feeling, degrading and brutalizing the character of the people, checking their industry, obstructing their improvement, paralyzing the national resources, and threatening the unity of the empire; and why is it that we are called upon to endure a continuance of these evils? Why, because the Catholics are supposed to entertain certain religious opinions, which it is said are incompatible under a Protestant government, with their relations as good citizens, and their duties as good subjects, and which make their admission to parliament and to office dangerous, if not destructive, to the state. It is said, that firm and strong as we may fancy the constitution of the country, deeply-rooted as we may suppose the Protestant faith to be in the conviction and affections of the people, the mere presence within these walls of some forty or fifty Catholic gentlemen, if even so many should find their way here, might be sufficient to overthrow the fabric of the constitution, or undermine the foundations of the

Church. By what magical power a small minority is to lead captive a large and overwhelming majority, and compel them to sacrifice their principles and betray their faith, has not indeed been very distinctly explained; but it is said, that in times of nicely-balanced political struggle, when parties run high and divisions run close, a small but compact body of men in this House, acting upon one common principle, pursuing steadily one common object, and throwing their weight judiciously in, as occasions should arise, might accomplish purposes seemingly unattainable. So far as relates to honours and emoluments, to personal or party gains, to any thing which the leader of opposition could promise, or the head of a government could bestow, this argument may have some force; but the changes which the Catholics are supposed to aim at, are changes which could only be effected by the concurrence of the whole of the legislature; and see what various improbabilities, not to say impossibilities, must combine before these fears could be realized. I will suppose that a government, hard pressed to carry some measure of their own, or to resist some measure of their opponents, were to purchase the support of the Catholic band, by promising to introduce some change injurious to, or subversive of, the Protestant religion. In the first place, the consent of the sovereign on the throne, who by law is a Protestant, must be obtained; but I will suppose for the sake of argument, that which I hold to be impossible, that an English cabinet should agree to advise, and a Protestant king should be found to sanction. Yet the very foundation of the supposed case, is a weak administration, tottering in their seats, and certain of support neither in parliament nor in the country: what then would be the effect upon such a government of such a proposition? Why, to give instantly to their opponents ten times the strength which their profligate bargain had purchased from the Catholics. Every honest and independent Protestant would fly their standard, and their adversaries would raise round their heads a storm of public indignation, which would sweep them from their places with ignominy and disgrace. Such apprehensions may fairly be pronounced groundless and chimerical.

The hon. baronet, the member for Kent, stated yesterday, that his objections to the admission of Catholics to parliament, were

founded, not upon their general conduct as subjects, but upon the incompatibility of their religious tenets with the safety of the constitution. I presume it is not to the speculative tenets of the Catholics that he objects; that it is not because they believe in transubstantiation, and in the efficacy of the invocation of saints, that he would exclude them from these walls; it must be that in his opinion they hold some doctrines applicable to worldly actions and temporal affairs, which are incompatible with their duties in a Protestant country.

Now, in the first place, the Catholics deny such doctrines, and I believe their denial; but if every thing which has been asserted on this subject were true, still it would not affect the practical conclusion to which I should be disposed to come.

If the question indeed were, whether we should or should not have any Catholics, these arguments would be applicable and conclusive, and I should say, let Ireland be Protestant, and let us have no Catholics in any part of the empire. But that decision is beyond the reach of human control; there they are, be their religion good or bad; there they are, be their tenets wholesome or objectionable; there they are, five or six millions of Catholics in the very heart of the Empire, and the only question is, what we shall do with them; whether by kind treatment and conciliation we shall make them our friends, or by exclusion and coercion convert them into enemies. Even if their doctrines were objectionable, and the hold which we have over them by abstract principle and a mere sense of duty were but slight, the more expedient it would be, since extermination is impossible, to win them to us by kindness, and to bind their hearts to ours by the ties of a common interest; and, therefore, though I utterly disbelieve that the Catholics are guided by the objectionable doctrines which are imputed to them, yet for the sake of argument, I would concede the assertion, and upon that very basis contend for the policy of emancipation.

Now what are these doctrines? The only one which is important to the present question is that which relates to their allegiance; for I am sure the hon. baronet is much too liberal and enlightened to give countenance to the vulgar prejudice, that Catholics do not deem themselves bound to keep faith with heretics. Well, it is said that the Catholic renders to a Protestant sovereign only a divided allegiance—now

the Catholic utterly denies this charge. Let the most zealous Protestant devise any form of words which shall, in terms the most unequivocal and explicit, abjure any division of that allegiance which a faithful subject owes to his temporal Prince, and that oath the Catholic is prepared to take, in the utmost sincerity of heart; and if it is said that oaths are words, and words are empty air, he refers you to the exploits of your navy and army, and appeals to Catholic actions to satisfy Protestant doubts. What more can man do, what fuller refutation can human ingenuity devise? But with what marvellous inconsistency is this objection advanced!

Suppose, for argument's sake, that the allegiance of the Catholic could not be depended upon, and that he was liable to be swayed by foreign influence to betray his country and forswear his king, what is the situation in which such a man would be most dangerous? what is the last situation in which it would be wise to place him? why, beyond a doubt in naval and military command. But in naval and military command the law allows the Catholic to be placed, and that law is of recent enactment, and sanctioned, or at least unopposed by those very men who cast in the teeth of the Catholic this charge of divided allegiance. Upon what rational ground then can this charge be made an objection to his admission into Parliament? Can you trust a man to stand sentinel at the very gates of your fortress, in actual contact with the enemy, and yet distrust him in the midst of your garrison and surrounded by your guards? A Catholic may lead the fleet of England into fight; a Catholic may command the army of his country in the day of battle; in that perilous hour, when the interests, the honour, perhaps even the safety of England may hang upon the workings, aye, the secret workings of one single mind, when one single act treacherously done, or one single act treacherously omitted, may bring with it irretrievable disaster; in that perilous hour we are content to commit our fortunes to the hand of the Catholic, confident in his patriotism, his honour, and his faith: but when the question is as to a seat in this House, where he is one among a great number, where little can depend upon individuals, where every word that he utters and every thing that he does are public as the art of man can make them, and are borne by the next

morning's dawn upon the wings of the wind to every corner of the empire; here forsooth, we tremble at the dangers that would befall the state, if this man of divided allegiance were permitted to vote in a Committee of Supply.

But how idle to talk of giving the Catholics political power, as if they possessed no political power now.

It is the fashion sometimes to sneer at the wisdom of our ancestors; but as far as regards the treatment of the Catholics, our ancestors were much wiser than we are, at least according to the more limited notions of their time. They hated and feared the Catholics, and they had perhaps some reason to do so; we hate and fear the Catholics, without, that I can discover, any reason at all. They wished to extirpate the Catholic religion, and they set about it in right good earnest; and if it had only happened to be consistent with the laws of human nature, that opinions and belief could be swayed and determined by the strong arm of temporal power, they would most unquestionably have accomplished their purpose. They just did not make it lawful (I am speaking now of Ireland),—they just did not make it lawful to put a Catholic, wherever found, to death. There was some sense in this system; it was not very amiable, but at least it was consistent. They deemed the Catholic a dangerous and ferocious beast of prey, and like a beast of prey, they hunted him out from the pale of civilization, and drove him back to his native fastnesses and wilds. We look upon the race with almost similar dread and abhorrence; but we allow them to prowl unmolested about the streets of our cities, and the gardens of our dwellings, and think we have sufficiently provided for our safety, if we only close against them the portals of the temple of justice. Is there any sense in this? If the Catholic be really so dangerous and formidable, we have gone much too far; if he be not, we have stopped too soon.

Political power, indeed! What is it that gives to any class of men in a state political power? Why, numbers, wealth, intelligence. These are the true elements of political power, and where these exist, whether it be in the republics of the west or the despotisms of the east, these will be found to sway the deliberations of the people, or control the will of the monarch. But these we have granted to the Catho-

lics; numbers, indeed, without our permission, they have gained, and to their hearts' content; wealth we now allow them to acquire and possess; intelligence we are daily forcing upon them, with all the zeal and activity of crusaders; and thus while the Catholics are every year becoming more numerous, more wealthy, and more enlightened, we go on descending upon the dangers that would befall us, if the Catholics should ever acquire any share of political power.

Why those men who sway to their will five millions of dissatisfied people, who hold their obedient passions in the leash, to restrain or let slip, as best may suit their purpose and occasion; who carry, as it were, in the folds of their garment, the dread alternative of domestic peace and war; if such men do not possess political power, there is no meaning in words, there is no danger in things. I call upon the House, to strip them of *this* political power, which cannot be exercised for good, which must be exerted for evil; which may destroy a state, but never can work for its salvation. Let us turn these materials of mischief into elements of strength; let us, like skilful physicians, extract and amalgamate the poison, and by a wise adaptation of its influence, draw from it renovated health and augmented vigour.

The population of Great Britain, by the returns of 1821, was fourteen millions; the population of Ireland at the same period was about seven millions. The industry of the fourteen millions in Great Britain produced for the public service a revenue of about fifty millions sterling; the industry of the seven millions in Ireland produced for the public service a revenue of what? Of twenty-five millions, according to its proper proportion? No, barely of five millions.—What is the cause of this extraordinary disproportion? Has nature been less bountiful to Ireland in her gifts? is the soil cursed with barrenness, or are the people incapable or unwilling to labour? The fertility of the soil of Ireland is proverbially notorious, and the harvest fields of England afford abundant proofs of the laborious industry of the Irish people.—Well, then, I shall be told the reason is, that Ireland is without capital; and because Ireland is without capital her population is without employment, and her Exchequer is without revenue. But why is Ireland without capital? and does not the single fact that she is without capital,

though under the same sovereign as England, and within a stone's throw of her wealthy neighbour, speak volumes, and prove more demonstrably than the ingenuity or eloquence of man, that Ireland is misgoverned?—The capital of England overflows in every direction but one: it seeks a vent in every quarter of the globe; it scales the summit of the Andes; it flies to our very Antipodes; but Ireland it dare not enter. Beyond the limits of the United Kingdom, there is no adventure so difficult and hopeless, no risk so hazardous and desperate, as to daunt the enterprise of our capitalist, and arrest the current of our wealth. But around Ireland the wand of the enchanter has drawn its forbidding circle.—I call upon the House to break the spell, and let 'in upon Ireland the wholesome and fertilizing stream.

If the country gentlemen of England wish to relieve themselves from those burthens which now press so heavily upon them, let them lend us their aid to grant peace to Ireland; let them assist us to give a free and full development to its boundless natural resources; and they may be assured that there is no plan of finance how skilful soever, that could open such golden prospects to England, as Catholic emancipation.

While the present system of laws continues, peace is impossible in Ireland. If an ingenious tormentor of the human race had wished to inflict upon a nation the misery of perpetual dissension, what more could he have done, than establish that order of things which exists in Ireland—a people, active, sensitive, intelligent, divided into two very unequal portions; separated by the soul-stirring distinction of religious opinions; the small minority invested with civil ascendancy, and exclusive political authority; the large majority condemned to exclusion deprivation, and civil degradation. If the principle of perpetual motion has vainly been sought in the material world, here, at least, in the moral world, we have the most perfect arrangement for producing perpetual convulsion. The degraded majority, conscious of their numerical strength, must constantly be struggling for equal participation: the overbearing minority, sensible of their physical weakness must perpetually be tightening the bonds, which coerce and keep down their prostrate competitors.

Under a pure despotism a people may

be contented, because all are slaves alike; but those who under a free government are refused equal participation, must be discontented. Every where they meet men of the same class, of the same rank, of the same talents, of the same attainments as themselves, enjoying privileges and advantages from which they are forever debarred. What must be the inward feelings of such men? and could we be surprised if we found that while we extorted our oaths of allegiance from their lips, their own vows of abjuration should stand recorded on their hearts.

If I wished to convince an impartial Englishman of the policy of repealing these laws, I should bid him repair to the south of Ireland; to mix with the Catholic gentry, to converse with the Catholic peasantry; to witness the open and undisguised discontent of the former; to probe to the bottom the more concealed, but not less deeply rankling passions of the latter; to see what a fierce and unsocial spirit bad laws engender; and how impossible it is to degrade a people, without at the same time demoralizing them too.

But if this should fail to convince him, and his judgment still hung in the balance of doubt, I should then tell him to go among the Protestants of the north. There he would see how noble and generous natures may be corrupted by the possession of undue and inordinate ascendancy; there he would see how men, naturally kind and benevolent, can be brought up from their earliest infancy to hate the great majority of their countrymen with all the bitterness, which neighbourhood and consanguinity infuse into quarrels; and not satisfied with the disputes of the days in which they live, raking up the ashes of the dead for food to their angry passions; summoning the shades of departed centuries to give a keener venom to the contests of the present age; and as if the reigns of the House of Hanover were not sufficiently fruitful in causes of mutual offence, studiously keeping alive the memory of those unhappy events, which afflicted their country in the days of the Stuarts. These things indeed afford a melancholy proof how true it is, that the evil which men do lives after them, and ought to us to be a salutary warning, how we give an enduring and permanent existence to the passions, and resentments, or alarms, of the day.

We are called upon to maintain these disabilities, in order to preserve the integrity of the British Constitution. But what deeper wound can the constitution receive, than that which is inflicted by the present state of things? Does the British Constitution consist in governing by force, and keeping down the people by the sword? and yet my right honourable friend, the Secretary of State for the Home Department told us, the other night, that for some time past, five-sixths of the regular infantry at home, have been employed in Ireland, in preserving a forced tranquillity. Is this the principle of the British constitution? Is this the principle of the Revolution of 1688? Was it to establish a military government, that our ancestors expelled the family of the Stuarts? Is not this

“Propter vitam vivendi perdere causas?”

And yet can we hope to maintain our present system of disabilities by any other means than military force? Can five millions of men be governed against their will, except by the edge of the sword?

My right hon. friend has asked over and over again, of those who oppose this measure, what is the remedy which they themselves would propose; to that question, no satisfactory answer has yet been given; and, till last night, no very distinct one. But the remedies which have been proposed, as substitutes for Emancipation, are the Prevention of Absenteeism, Education, Poor Rates, and Civil War.

It is, no doubt, a misfortune for Ireland that all her landed proprietors do not reside on their estates; but if you wish to bring back the absentees, make the country habitable, and you will find them promptly return. But as long as the bonds of society are severed, while brother is armed against brother, and son against father, it is vain to expect that many will not quit a country, in which it is so painful to live. If absenteeism is an evil, Catholic emancipation is its only cure. But then education—Education, indeed, a substitute for Emancipation! Why, if you wish to retain a people in a state of degradation, do not educate, but keep them in ignorance; and ignorant people may submit with patience, but the more you enlighten them, the more impossible it becomes to withhold from them their rights. Well, but Poor-laws would be an effectual remedy. Sir, if I

were not restrained by respect for the honourable member who made this proposition, I should say, that to recommend Poor-laws as a substitute for Emancipation, was an insult, and a mockery to the people of Ireland. The measure would indeed be well adapted to the circumstances of the country! The lower classes in Ireland have sometimes been accused of improvidence; Poor-laws are admirably calculated to inspire them with foresight! The great evil of Ireland is by some thought to be a redundant population; Poor-laws are an excellent expedient to check and prevent its increase! The Irish peasantry have been represented in some quarters as a degraded race; we know by the experience of England, how surely a system of Poor-laws raises the character, stimulates the industry, and exalts the feelings of the lower classes! We have had many committees of this House, containing some of the ablest of our members, appointed for the purpose of devising some means of relieving England from the burthen of her Poor-laws; but it never, I believe, occurred to any of these persons, that two evils might be cured by one measure, and that England might be relieved, and Ireland pacified by merely transferring to Ireland the Poor-laws of England.

Then come we to the last remedy, Civil War—Some gentlemen say, sooner or later we must fight for it, and the sword must decide; and if we must fight for it sooner or later, we are better prepared now than we may be by and by, and therefore we had better go at it at once.

The hon. member for Newark, too, drew a contrast between the course which the government have pursued in England, and the conduct they have held towards Ireland. “In England,” said he, “there have been demagogues and disturbances, but the people were dispersed with bloodshed, and their leaders were seized, tried, and punished; while in Ireland the government have connived at proceedings which they visited with so much severity in England.” The only inference, though I admit that the honourable gentleman did not himself draw it, but the only fair inference to be drawn from this statement is, that in his opinion the measures which were so successful in England would be equally so in Ireland. That we ought to have recourse to bloodshed, and that if blood were but shed in Ireland, Catholic

Emancipation might be avoided. Sir, when the hon. member shall be a little deeper read in the history of Ireland, he will find that in Ireland blood *has* been shed, that in Ireland leaders *have* been seized, trials *have* been had, and punishments *have* been inflicted. He will find indeed, almost every page of the history of Ireland darkened by bloodshed, by seizures, by trials, and by punishments. But what has been the effect of these measures? They have, indeed, been successful in quelling the disturbances of the moment, but they never have gone to their cause, and have only fixed deeper the poisoned barb that rankles in the heart of Ireland. Can one believe one's ears when one hears respectable men talk so lightly, nay, almost so wishfully, of civil war; do they reflect what a countless multitude of ills those three short syllables contain? It is easy to denounce against a nation this awful doom; but when Heaven shall once have opened the windows of its wrath, when the foundations of social order shall once have been broken up, when the deluge of civil war shall once have burst upon the land, where is the man who shall presume to set limits to its fury, or foretell the extent of devastation. —It is well, indeed, for the gentlemen of England, who live secure under the protecting shadow of the law, whose slumbers have never been broken by the clashing of angry swords, whose harvests have never been trodden down by the conflict of hostile feet, it is well for them to talk of civil war, as if it were some holiday pastime, or some sport of children:

"They jest at scars who never felt a wound."

But, that gentlemen from unfortunate and ill-starred Ireland, who have seen with their own eyes, and heard with their own ears, the miseries which civil war produces, who have known by their own experience the barbarism, aye the barbarity, which it engenders—that such persons should look upon civil war as any thing short of the last and greatest of national calamities, is to me a matter of the deepest and most unmixed astonishment.

If the nation is overflowing with so much suppressed pugnacity; if like an overcharged thunder-cloud we are bursting with accumulated fire, which a fourteen years' peace has rendered unbearably irksome; let us vent it on any and every other nation of the earth, let us not exercise a suicidal fury on ourselves.

"—omnibus Hostes

Reddite nos Populis, Civile avertite Bellum."

I will grant, if you will, that the success of such a war with Ireland would be as signal and complete, as would be its injustice; I will grant, if you will, that resistance would soon be extinguished with the lives of those who resisted; I will grant, if you will, that the crimsoned banner of England would soon wave in undisputed supremacy, over the smoking ashes of their towns, and the blood-stained solitude of their fields. But, I tell you, that England herself never would permit the achievement of such a conquest; England would reject, with disgust, laurels that were dyed in fraternal blood; England would recoil with loathing and abhorrence, from the bare contemplation of so devilish a triumph.

We are still in time to avert so afflicting a consummation; we are still in time to avert it with honour; we are not in time any longer to delay. Events are pressing on us with a force and rapidity which no human arm can stay. While we are debating our securities, our dangers are blackening round our heads; and we are childishly disputing about the fences of our dwelling, while the loud and unmistakeable murmurings of the earth, warn us of approaching convulsion.

Tell me not that this is the language of intimidation; tell me not that I am appealing to the fears instead of to the reason of the House. In matters of such high concern, which involve not personal and individual considerations, but the welfare of one's country, no man ought to be ashamed of being counselled by his fears. But the fears to which I appeal, are fears which the brave may acknowledge, and the wise need not blush to own. The fear to which I appeal, is that early and provident fear, which Mr. Burke so beautifully describes as being the mother of safety. "Early and provident fear," says Mr. Burke, "is the mother of safety, for in that state of things, the mind is firm and collected, and the judgment unembarrassed; but when fear and the thing feared, come on together and press upon us at once, even deliberation, which at other times saves us, becomes our ruin, because it delays decision; and when the peril is instant, decision should be instant too." To this fear I am not ashamed of appealing; by this fear legislators and statesmen ought ever to be ruled; and he who will not listen to this

fear, and refuses to be guided by its counsel, may go and break his lances against wind-mills, but the court of Chancery should enjoin him to abstain from meddling with public affairs.

Lord *Milton* said, he had listened with great attention and delight to the speech just delivered by the noble lord on the other side of the House. It did equal credit to his feelings and to his understanding. He probably should not have trespassed on the attention of the House but for the speech which had been made yesterday by the hon. member for Corfe Castle (Mr. G. Bankes). He certainly had listened with great anxiety to the speech of that hon. gentleman, because he felt satisfied that, if any hon. member could have addressed the House on any legal point touching the question, the hon. member for Corfe Castle was the most likely; not only from the force of argument which he could have brought forward, but from his legal and constitutional knowledge: for the parliamentary history of the country had been the study, not only of the hon. member himself, but of almost every branch of his family; and he therefore was peculiarly qualified for a consideration of such a great question. If there were any legal objections to the measure he was quite confident that the hon. member would have brought them forward, and justified his adhesion to the present system, not only by words but by arguments. After weighing all, however, that had fallen from the hon. member, he must confess, that he felt greatly disappointed when he found that the main support of the hon. member's argument was the Declaration made by the prince of Orange. That Declaration, as had been justly observed by his noble friend, had nothing at all to do with the question, and applied entirely to the dispensing power claimed by James the 2nd. For himself, he would say, that that Declaration applied infinitely more to that point than to the question which the hon. member intended to support by it. For the last two weeks, constant allusions had been made to the period of 1688, and attempts had been made to prove that that measure would destroy the constitution established at that time. If that were the case, he must be allowed to say, that it would destroy much of the veneration with which he had always looked upon that epoch. The House had been told, that this measure

would overturn the constitution of 1688; but he would say, that the law now to be repealed was not established in 1688, but in 1678, and had nothing to do with the era of the Revolution. If that were correct, the view which the hon. member for Newark had taken of the subject, was equally untenable, and the conclusion from the premises of both the hon. gentlemen must be, that the principles established at that period were not founded on right or privilege, but on exclusion. And could there be any thing more unseemly in a free constitution, than utter exclusion? What were the grounds for such exclusion? At the period when that act was passed, the exclusion was theological and political conjoined, but that time was now elapsed, and the distinction was merely theological. He would not enter at any length into the question, and wished merely to state, that the main points on which the whole merits of the case rested, had been thrown out of view and disregarded. The question rested on higher grounds. It did not rest on political or theological grounds, but solely on justice. The people of Ireland rested their claims on the justice of their cause; and to what page of history could the House turn without seeing that when justice was disregarded, the rulers of states thereby brought on their own punishment, and defeated the ends they had in view? He had no wish to detain the House long on the question, but if legal authorities were to be trusted to, he thought that, as yet, nothing at all to the point had been brought forward in opposition to the measure. The exclusion did not commence in the reign of Charles the 2nd, but in that of Elizabeth; and that exclusion was not for the security of the constitution, but to promote conformity of public worship. These were the only grounds for exclusion, and he trusted that such grounds had been long abandoned. He would therefore say, that the opposers of the measure should take up other grounds than those of a political tendency, and be able to prove that there would be danger, not from a few Catholics being admitted into parliament, but from their differing from the established church.

The *Attorney-general* said, he hoped he might take the liberty of saying, that he had never bound himself to any party, and he could produce testimonials of the independent course which he had always followed. When he thought that he could

remain in office with honour, he had not quitted it; but when he thought he could not accept office with honour, he had not taken it. Differing in opinion from gentlemen on the opposite side of the House, he was now called upon as the attorney-general of a Protestant government, to deliver his sentiments on the question under the consideration of the House; and he must throw himself on the kindly feelings and indulgence of the House, while he endeavoured to perform the duty which he owed to himself personally, to the British parliament, to the people, and to that sovereign to whom he was nominally, but not practically, the servant. He therefore would presume, as a member of parliament, who yielded in independence to no gentleman present, to deliver his sentiments on the subject under consideration. In doing so, he felt confident of meeting with that indulgence from the House, which he had, on former occasions, experienced; and he would venture to say, that no hon. member had with greater labour and assiduity, with greater candour and liberality of mind, than he had done, approached the question, of how and on what grounds, safely and constitutionally, as regarded his monarch, the church, and the liberties of Great Britain, the Catholic question might be adjusted. He took to himself not the merit of talent, nor of eloquence, but he claimed the merit of industry and assiduity, in the investigation of that question; and having done so, the pain which he suffered from that labour as an individual, was even surpassed by the pain which he experienced, only seven days before the meeting of parliament, on learning, that the question which was usually called Catholic emancipation, was to be the subject of recommendation to parliament by his majesty's ministers [hear, hear]. If, in the course of the discussion, any one expression should fall from him, carrying with it the complexion of ill-nature and asperity, he would willingly revoke such expression. He wished not to speak in the language of ill-nature or asperity; but as an humble member of that House, he had always presumed to deliver his opinion with freedom and independence, and he must say, that he never, in the whole course of his life, experienced so much pain as when he was told, that that large proportion of the House who conceived themselves to be led by the talents, the experience, and the

learning of the right hon. the Secretary for the Home Affairs, were, on the first day of the meeting of parliament, to be utterly disbanded, left without a leader, cast forth and abandoned. He might presume, that the House would give him credit for one quality—that of sincerity; and he must say, that he agreed with the hon. member for Kent, that without prior notice—or at least, with only seven days' notice—the Protestant party in England, and the Protestant party in that House, had been abandoned and deserted—deserted by their leader, and cast away to the waves and the winds [a laugh]. He hoped that no one would imagine, that he had the presumption to put himself forward as the leader of that party; but, having declared his intention to vote, and being told that that was not enough, he now came forward as an humble individual, and an independent member of parliament, to declare what were his sentiments. Let no man suppose that he had the audacity, presumption, temerity, or folly, to put himself forward as the substitute of that able and eminent leader, whom the Protestant party formerly had, but he sincerely regretted, no longer possessed, in the person of his right hon. friend [hear, hear]. A very eminent historian, Mr. Hume, had said, that a man could not, without the imputation of vanity, speak more than a very few words about himself; and he would endeavour to avoid that imputation by saying a very few words more of his personal affairs. He certainly did not know whether he was not presuming, to address the House in the situation in which he was now standing, or whether he ought not to speak as the member for Plympton. He was still the king's Attorney-general, and the king's Attorney-general he would remain [a laugh]. He was surprised at the incivility of gentlemen who interrupted him before he had finished his sentence.

The noble lord who had lately sat down had supported the question, in one of the most able and eloquent speeches ever pronounced—a much abler, in his opinion, than that in which the right hon. Secretary for the Home Department had explained the measure to the House; yet he had heard that speech without any sentiment of incivility, and he did expect the same attention would be paid to him. It had been said, that he had been the obstacle which prevented the University

of Cambridge from having another member. He had been the tool of no government in the acquisition of office, and he would be no tool in the retention of office. If those who supported the great question of Catholic emancipation thought that by going to Cambridge they would gain an acquisition to their cause, they might have an opportunity of doing so. If the Protestant party thought that he was an obstacle to the expression of the public opinion in favour of their cause, he could tell them, that he had never for the last three weeks occasioned any obstruction to the expression of the public voice. He had declined to draw the bill now on the table of the House, because, looking to the oath which he had taken as attorney-general, he thought he should, by drawing that bill, be abjuring his duty, and be drawing the death-warrant of the Protestant church. That conclusion he had come to after much anxious reflection on the question: and he believed that if he drew what he conceived to be the death-warrant of the church of England, he should be betraying his duty as attorney-general, as much as Noy betrayed his duty when he drew out the order for the raising of ship-money, or lord chancellor Jeffries when he drew out the warrant of commitment of the Protestant bishops to the Tower.

At the present time of night, and under antecedent circumstances, it might put him in a situation of considerable difficulty to explain why he had come to that conclusion; but he would, with the indulgence of the House, state the reasons why he could not, in the exercise of his own independent judgment, support his majesty's government in that great measure, the consideration of which was now pending before parliament. The noble lord who had just sat down had called upon him, in a direct manner, to maintain that the exclusion of Catholics from parliament and from executive offices was a principle of the constitution. If the House permitted him, he would refer to some documents, to assist him in answering the noble lord's argument. The noble lord had called, not by name, but by an allusion which could not be mistaken, on the person who was nominally the king's attorney-general, to state what were the grounds on which it was to be maintained, that the exclusion of Catholics from parliament was a principle of the constitution. That was the

challenge which the noble lord had thrown out, and which he was ready to meet. He hoped that hon. members would not, from any special pleading, or from any legal quibble, maintain that, because the act of queen Elizabeth, which introduced the Oath of Supremacy, and the statute of Charles 2nd. which introduced the Oath of Abjuration, were not recited in the Bill of Rights, therefore those statutes were not constitutionally and legally embodied in it. It was true, that the Bill of Rights did not recite those acts, or in express terms declare them to be in force; but he would assert and maintain, that all those restrictions against the admission of Catholics into parliament or places of power, which existed before the Revolution, were re-established, renewed, and reconfirmed, and enforced by fresh additions, by the Bill of Rights and the statute of king William. Before king William landed in this country, the preservation of those restrictions were made a condition, entered into between him and the people of this country—before he put his foot on British soil. That he asserted to be the fact, and if the House would grant him patience, he would produce documents to prove the point. Before the last act of extremity was completed towards king James, an amicable arrangement was contemplated between that Prince and the Prince of Orange. Those persons desired to bring about a settlement of the question—he supposed he must adopt that nick-name “settlement of the question” at present so much in fashion, without expelling James from the throne. He begged to remind hon. members, that one advantage they enjoyed in the character of representatives of the people was a very extensive library attached to that House. It appeared to him, that the advocates of the Catholic question were very shy of referring to the records which were contained therein. If they would look to the life of king William and his times, as described either in Rapin or Tindal, they might see some cause for distrusting the opinions which they maintained. Surely, a considerable portion of the faculty of memory must have been lost amidst the Roman *mal-aria* which prevailed in the House [a laugh]. This Roman *mal-aria* had not only operated a strange conversion of opinion, but it had also had a most surprising effect upon the recollections of hon. members. If hon. members would refer to the compilations

in their library, they would find that, prior to the expulsion of king James,—prior to the extremes which ended in the just constitutional expulsion of that man for endeavouring to invade and supplant the Protestant freedom and liberties of the realm,—prior to that, a correspondence had taken place with the Prince and Princess of Orange, having for its object to induce them to mediate and settle the question, without the extremity which circumstances afterwards produced. The noble member for Yorkshire had called upon the first law authority in that House, to controvert if he could, the positions which he had taken up. Now, he was the first law authority in that House, though perhaps a very fugacious, a very precarious, and a very uncertain one [a laugh]; yet certainly he was at present the first law authority in that House. In that character, he doubted not that he should be treated with all proper respect by both sides of the House. He therefore would accept the noble lord's challenge, and would at once declare, that the noble lord's proposition was denied by the undoubted evidence of facts and the testimony of history. Long before the landing of king William in this country, a negotiation was entered into with the Prince and Princess of Orange, having for its object to ascertain "whether they would consent to repeal the penal laws then in force, by which Catholics were shut out of parliament." He held in his hands a copy of the answer which those eminent persons made to this application, and which he would read to the House. The hon. and learned gentleman then read the document, which declared, that the writers "never would consent to repeal the laws which excluded Roman Catholics from seats in both Houses of parliament, and from all public employments, ecclesiastical, civil, and military, or those other laws which confirmed the Protestant religion, and secured it against all attempts of Roman Catholics."

In answer, then, to the challenge of the noble member for Yorkshire, he would put forth that document, which had on former occasions been in part adverted to in that House, but had never before been fully read. That document showed, that prior to the landing of the Prince of Orange in England, the principle of exclusion had been determined on, as part of the settlement which was afterwards made. This

principle formed part of the treaty entered into between the Prince of Orange and the British nation, which was afterwards ratified by the Bill of Rights. It certainly would be strange that the Prince of Orange, having maintained the principle of exclusion before he came to this country, should have abandoned it after he arrived here. However, the hon member for Inverness, the Solicitor-general for Ireland, and others of the same grade and order, had contended, that the exclusion of Catholics from parliament was not a principle of the Revolution. He would take the liberty to confront those hon. and learned persons upon that point, not by his own assertion, which would avail nothing, but by the records of history, which availed every thing. Some persons, to be sure, might be disposed to set as little value on this sort of proof as lord Plunkett, who had facetiously said, on a certain occasion, that history was an old almanack. It might be an old almanack, but the antiquity of an almanack did not affect the veracity of its contents. [Sir J. Mackintosh here observed that, the contents of an old almanack were not applicable to the present period.] He begged to inform the right hon. member, who had thus improperly interrupted him, that he had not the powers of a Scotchman, and could not answer two questions at once [a laugh]. He had stated, that before the landing of king William, [a slight laugh, followed by cries of "hear"]. He hoped hon members would not continue thus unfairly to interrupt him. He who challenged ought to hear the answer. He who struck the first blow ought to permit his adversary to defend himself. The noble member for Yorkshire had appealed to the highest law authority in that House for his opinion; and, being so called upon, he would declare, that the principle of excluding Roman Catholics from parliament was settled before the Revolution, and was confirmed and re-established at the Revolution, with additional Protestant securities. That was his proposition, and he would make it out. It was very well known, that king James issued a Declaration of what he called liberty of conscience, which he required to be read in all churches. This Declaration established something not unlike a free trade in religion,—a kind of universal amalgamation of all religions,—Protestant, Catholic, and Unitarian—if he might so express it, a

sort of spiritual Jacobinism in matters of religion. He merely alluded to this for the purpose of observing, that the Declaration of king James set aside the oaths required to be taken by Catholics in the same manner that the bill before the House did. He now begged to remind the House of the Prince of Orange's Declaration of October 10, 1688. In that Declaration he referred to the letter he had previously written, in which he declared his willingness to qualify the laws against the Dissenters, but said, he would not repeal the laws against the Catholics.

Let the House look at what happened next. In the course of that year, James, who thought that he had carried the thing a little too far, tried to retrace his steps. The right hon. member for Knaresborough from whom the public had been for some time expecting an able history of this period, knew well that he was stating facts correctly. Only a month before king William landed, James issued a proclamation from the Privy Council, in which he declared himself disposed to consent to the exclusion of Roman Catholics from parliament. If he were told after this, that the exclusion of Catholics from parliament was not a violation of the principle of the constitutional settlement in 1688, he could only account for it by supposing, that the epidemic disorder to which he had before alluded, had affected the reminiscent qualities of the Catholic emancipators.

He had shown that king William declared he would not relax the laws against the Catholics, but that he was willing to qualify those which affected Protestant Dissenters. King William kept his word, by introducing the Act of Toleration.

He would now say only a few words with respect to the Bill of Rights. The hon. member for Inverness said, that he had read over the whole Bill of Rights, and had been unable to find in any clause of it a Declaration, that the restrictions on the Catholics were to be continued. The noble member for Yorkshire had done the same. Really, he knew not how to argue with such special-pleading politicians. Did they expect that the Bill of Rights was to recite, in the technical language of a lawyer—"Whereas queen Elizabeth passed an act, establishing the Oath of Supremacy, and king Charles passed an act, establishing the

declaration against transubstantiation, &c." The Bill of Rights did not recite those laws, but the first article declared, that "king James 2nd, by the assistance of divers evil counsellors, judges, and ministers, employed by him, did endeavour to subvert and extirpate the Protestant religion, and the laws and liberties of this kingdom." He thought he had met the noble lord fairly; and he appealed to the judgment of the House as to whether he had not, by facts, and the testimony of undoubted history, proved that the exclusion of Catholics was a principle before the Revolution, at the Revolution, and after the Revolution, insisted on as part of the constitutional settlement.

He could assure the House, that no circumstances under which he had ever before addressed them pressed on his feelings with half the severity of those which now induced him to trespass on their attention. When he, the Attorney-general of the king, was called on to frame an act of parliament, it was not unnatural that he, as a lawyer, should look to the opinion of a higher authority than himself; namely, the lord chancellor, to direct his judgment on the subject. If he found that a lord chancellor had declared, that he could not sustain such a measure as that now before the House, he should not be visited with particular censure, if he said that the attorney-general could not do that which the lord chancellor could not do. He thought that he was placing himself under a strong shield when he took up his position under the buckler of lord chancellor Lyndhurst [hear, hear]. When he was asked to frame the bill, he naturally exclaimed—"What! the king's attorney-general prepare a bill which the lord chancellor has declared would subvert the Protestant church of England?" He begged to observe, that he was not quoting the lord chancellor as an indisputable authority upon all points. He might differ from him on some subjects, and he would differ from any man who attempted to drag him out of his opinions. But this was a point upon which he could not venture from the king's sworn councillor—the keeper of the great seal—who had sworn to give the king good advice. And here, by the way, he might observe, that it might be as well not to cavil too much about the disregard which Catholics displayed for oaths. Let them not "run a-muck" against the Ca-

tholics, but see what bound some Protestant consciences [hear, and a laugh]. When his attention was called to this bill, he felt it his duty to look over both the oath taken by the lord chancellor, and that taken by the attorney-general; and it was his judgment, right or wrong, that he was called upon to draw a bill subversive of the Protestant church, which his majesty was bound by his Coronation Oath to support. If his majesty chose to dispense with the obligations of the Coronation Oath, he might do so; but he, (the attorney-general) would do no act to put him in jeopardy.

These were the grounds on which he refused, and would refuse, a hundred times over, to put one line to paper, of what constituted the atrocious bill now before the House. Hundreds of those who now did him the honour to listen to him, must remember the able, valuable, and impressive speech delivered two years ago by the present lord chancellor, then master of the Rolls, and a member of that House. It would also be in the recollection of hundreds, that that eminent individual, than whom none was more acute in reasoning, more classical in language, and more powerful in delivery,—that individual, then master of the Rolls, but now lord chancellor, quarrelled with the late Mr. Canning on this very subject. That individual quarrelled with Mr. Canning, who was then sitting in the place where his right hon. friend now sat, upon the question,—whether or not, consistently with the maintenance of the Protestant monarchy and constitution of these realms, Catholics could be admitted to sit in parliament? Was he, then, to blame for refusing to do that, in the subordinate office of attorney-general, which a more eminent adviser of the Crown, only two years ago, declared he would not consent to do? Was he then to be twitted, taunted, and attacked? He cared little for being attacked, whether from the right or from the left. Let the attack come from whence it might, he was ready to meet it. He dared them to attack him. He had no speech to eat up. He had no apostacy to explain. He had no paltry subterfuge to resort to. He had not to say that a thing was black one day and white another. He was not in one year a Protestant master of the Rolls, and in the next a Catholic lord chancellor. He would rather remain as he was, the humble

member for Plympton, than be guilty of such apostacy—such contradiction—such unexplainable conversion—such miserable, such contemptible apostacy. He would state nothing without authority; and therefore he would read an extract from the speech delivered by the present lord chancellor two years ago, which would completely bear out the observations which he had made. The hon. and learned member then read the following passages:—“It was said, that they ought to adopt some measure for establishing the tranquillity of Ireland; that it was impossible for things to remain as they were; and that, having already gone so far, they must go farther. He was as anxious for any measure which would have the effect of restoring tranquillity to that country, as the most zealous advocate of the question before the House; but when a particular measure was proposed, with a view to the restoration of tranquillity in that country, he might be allowed to inquire whether it was calculated to produce that effect, before he gave it his assent. If the restoration of the tranquillity of Ireland were pressed as an argument in support of this measure, he must inquire how far it had that tendency. He repeated, that he lamented the want of tranquillity in that country; but it did not by any means follow, that because it was necessary that Ireland should be tranquillized, the precise measure now proposed was the one which would set it at rest. In his opinion, it would have no such effect. If this measure were carried, it would produce a great ebullition in that country. The Catholics would triumph in their victory; and the Protestants, or the great majority of them, would repine in the consciousness that they were subdued. There would be a great and momentous explosion, followed by a momentary calm. But no man who was acquainted with the Roman Catholics of that country, or with the state of feeling which existed there, would gravely assert, that this measure would allay the excitation which prevailed, so far as to restore tranquillity. No man, he thought, who had seriously considered the subject, would bring his mind to this conclusion. The Roman Catholic religion was a religion of encroachment; and there were circumstances connected with its existence in Ireland which increased the disposition to encroach. The Roman Catholics of

Ireland believed that they had been supplanted by the Protestants, and that it was not less their duty than their interest to supplant them in turn; and from the immense influence exercised over them by their hierarchy, it was not to be supposed that they would desist from making claim after claim until Catholic ascendancy was finally established. That man took but a slight and cursory view of the present state of Ireland, and of the events of which that country had been the theatre for many years, who could maintain the opinion that the Catholics would be satisfied, or that Ireland would be tranquillized, by the mere concession of the privileges which they now sought to obtain. He reasoned on this point from facts which were notorious to every man who was at all conversant with the state of Ireland. The Roman Catholic bishop of Kildare had stated, that 'emancipation would do much, but that much more remained to be accomplished.' He entreated that hon. members would take these circumstances into their consideration, and not allow themselves to be led away by the assertion, that the measure now proposed to them would have the effect of tranquillizing Ireland. I exhort them (continued the right hon. and learned gentleman) not to be led away by such an erroneous hope. I call upon them rather to consider, whether the destruction of the Protestant establishment is not the object, and will not be the consequence, of these measures, and to pause before they lend their assistance to a proposition that may be attended with such a result. The Protestant establishment is now a part of the state. I ask hon. gentlemen, whether they are ready to relinquish it? I believe that there are in this House many members who would willingly take issue upon this question; but the great majority of those whom he had the honour of addressing are opposed to that feeling; and to these latter gentlemen I appeal; and I say, do not fancy, that, by adopting these measures you will put an end to the evils that have so long distracted Ireland. I am convinced that such a vote will produce no such effect; but, on the contrary, will lead to new demands, that will be attended with as much excitement of feeling as that which we are now discussing. I am certain that if we admit sixty or seventy Roman Catholic members into this House, the next measure that will be

demand will be, the upsetting of the Protestant establishment in Ireland. In what a situation shall we then be? If we object to the new proposals, we shall be again told, "that as we have gone so far, we must go farther;" and we shall be reminded of what we are now doing, and shall be told "that we ought to have taken our stand before."

His right hon. friend had said that, by and by we might have a struggle. The lord chancellor, however, cut short all speculation on that point, and spoke of the struggle as a thing certain of happening. He said, that if Catholics were admitted into parliament, the upsetting of the Protestant church would follow. As there was a sort of germane sympathy between one lawyer and another, it was not extraordinary that he should pay some attention to the opinion expressed by the lord chancellor. He would be obsequious to no man; but, let not the king's attorney-general be quarrelled with because he would not draw a bill to do that which the lord chancellor had declared would destroy the Protestant church.

He had been put as it were on his trial, and therefore he hoped the House would grant him their indulgence. He had read over and refreshed his memory, with all that had passed in that House during the long time this question had been a topic of discussion. His right hon. friend said that now we had a protection in securities. He regretted that he could not see them here. In all the long discussions which had taken place, the measure had been considered as one of mutual concession. But now his right hon. friend seemed to think that the water was flowing in upon us. His (the Attorney-general's) apprehensions were that the waters were flowing out of us [a laugh]. His right hon. friend thought that the gates were shut quite close—he, on the contrary, thought that the whole flood-gates were opened. It was with pain he differed with his right hon. friend. The situation which he held he did not owe to him; but even if he had, he should have differed from him upon this point, firmly though respectfully. The right hon. gentleman said, "only make the concession I require, and you will have, by and by, the sympathy of foreign countries." Gracious God! When was there a time when a question relating to the external and the internal concerns of this country was not the victim

of foreign sympathy? What were the sympathies of foreign powers? What was French sympathy when the contest took place between England and her American colonies? What was the sympathy of France when the battle of the Boyne was fought? In 1715, the Pretender advanced; what was French sympathy then? In 1745, he again advanced, and French sympathy was again enlisted in his cause. Since that time, and recently, the same sympathy was afforded to this country, by the Jacobin government of France. "Then I say," observed the hon. and learned gentleman, "God grant, that amid our divisions, and dissensions, and internal agitations, French and foreign sympathies may never interfere!" He differed with freedom, but with respect, from his right hon. friend on this point; though no pain could be greater than to differ with him, especially placed in the situation in which he stood. His right hon. friend's arguments could not consistently be adopted by his side of the House. It was a measure which must not be accelerated or retarded by ordinary considerations. He would appeal to the recollection of the house, whether, in all the bills which had been introduced on this subject, either by Mr. Grattan or by any other member of the House, another proposition than that laid down by the right hon. gentleman had not been recognized. He had looked into all of them; and they all began by asserting that it was desirable to knit and unite together all classes of his majesty's subjects. This sort of universal concord—this irreparable friendship—this "feast of reason and this flow of soul," this amalgamation and mixture of religions—this union of Catholic and Protestant associations—these *delicia* of speculation, formed an integral part of the schemes of Mr. Grattan, of lord Plunkett, and of the hon. baronet, the member for Westminster, the skilful compounders of those bills; but they were repudiated by the right hon. gentleman. He knew that, instead of concord, nineteen out of twenty persons in the country were against it. He remembered what had been said by the late lord Ellenborough, with respect to the preamble of a bill which displeased him. He had observed that it

"Like some tall bully lifts its head and lies:"

so he thought, that this act of parliament would have enunciated a scandalous lie, if it had been placed upon the principle

of concord. For, setting aside all arithmetical computations, the notorious preponderance of public opinion was such, that it would have been a scandalous untruth, and a contemptible insult upon the feelings and upon the religion of the people, to call this bill a measure of concord. The framers of the bill, therefore, bearing in mind the line of Pope, had avoided this scandalous statement of concord; and, whatever might be its demerits it did not bear an untruth on the face of it. According to the construction put upon His Majesty's Speech, it appeared to be meant that *coûte qui coûte*, with or without the consent of the subject, this measure was to be taken, even if the subversion of some of our rights and privileges were the consequence.

It was foreign to his purpose to enter at present upon the subject of Ireland. For many reasons he wished to avoid it [cheers from the Opposition]. He would answer that cheer. Gentlemen meant to say, that he wished to avoid this part of the subject. He did not mean to do so. He said then that His Majesty's Speech did not intend that, with seven days' notice, a measure should be brought forward for the relief of the Catholics; no such thing. His Majesty's Speech advised that the whole state of Ireland should be considered. Had that been done? He would appeal to the noble lord, the member for Cambridge. He had talked of absentees, of the poor-laws, and other matters relating to the internal state of Ireland, of the trade and commerce of that country—and these were the grounds for the noble lord's sustaining the bill. If that were the principle of the bill it was not the principle of His Majesty's Speech. Instead of a hasty measure of emancipation, His Majesty's Speech had recommended the House to proceed to an inquiry. No member had argued this part of the question on the proper grounds: they had placed it on the ground of the internal state of Ireland, without inquiry into the real state of that country. Yet now, with a united cabinet, after seven days' notice, we were to proceed to emancipation without any inquiry into the state of Ireland. Many of the members of that House had no expectation of this measure, and that the Protestant interests would be not merely abandoned, but cast off; nor could they believe it until they heard it read from the chair. Such an example

of abandonment was without parallel. He did not think that the chronicles of this country could produce any thing "*aut simile aut secundum*." There was nothing which approximated to it. He had lately been looking into Shakspeare, and he had there found a noted leader of a party, named *Sir John Falstaff*, whose sentiment his right hon friend had adopted. When left in a minority of six, the right hon. gentleman said, "No; I'll not march through Coventry with the ragged regiment. I'll not march with these rascals; I'll take a course of my own; and though the regiment is not disbanded, I'll abandon the cause." But though abandoned by its leaders, the cause was not desperate, and he hoped it would never be so. The old partnership firm, and a very valuable one it was, of Peel and Co. was now broke up; though it had four hundred constant customers of character and respectability. What title the firm would now take, whether that of Chandos, Knatchbull, Bankes, and Co. he knew not; but as an humble individual, he would take care to keep up his connexion with it. He felt that the House was indulgent to him: and he feared that, like the Catholic emancipists, he should, by their granting a little, take a great deal more.

Having disposed of the objections of the noble lord, and of other hon. members, he should now take the liberty of proceeding to a consideration of the bill itself. In doing this he was really performing the office of attorney-general, and explaining to the House what the bill was. He was obliged to do this; he was here *volens volens*, whether he would or not. He might put it safely to hon. members, whether they understood the bill. If he asked the noble lord, the member for Yorkshire, whether he understood it, he would doubtless say, no. The bill contained an oath—that mentioned by the right hon. gentleman when he opened the measure to the House— which Catholics were to take, instead of the Oaths of Abjuration and Supremacy. These two oaths had excluded them. But there was no provision in the bill which confined this oath to Catholics. It was an oath which any man might take, whether Catholic or not. A person who was not a Catholic might, by taking it, enjoy the privileges of a Catholic. The oath ought to have stated, "I am a Roman Catholic, and swear so and so." But

the bill did not require any such declaration. He supposed that this was an imitation of James the 2nd's scheme of liberty of conscience. He wished to know what the measure was. Hon. members were cheering Peel and Co. upon the principles of James 2nd [hear, hear, from the Opposition]. "Hear, hear," said the hon. and learned gentleman, "I say it is so." The effect of the oath was, that any man might gain admission to office, or to the House of Commons; whereas, he understood the object of the alteration to be, that only those who swore they were Catholics were to be permitted to take the oath. There were other things in the bill which deserved notice. One of the clauses supposed that a man, who was a Catholic, might be prime minister; it gave a general capacity to office. All offices, said the bill, are open to Catholics, with one or two exceptions; ecclesiastical appointments, however, were to be separated from the patronage, and vested in commissions. Now, Catholics had never manifested an unambitious temper, and a Catholic prime minister would never be satisfied with this retrenchment of his privileges. And who was to appoint the commissioners? Why, a Protestant lord chancellor—lord Lyndhurst. Now, how would the new Pope, whether he should be French, or Spanish, or Portuguese, like this power? Would he entitle the lord chancellor, protector of the Catholic faith? The lord chancellor would have the appointment to ecclesiastical places; but was this a sufficient security? Lord Shaftesbury was a Protestant chancellor, and lord Jeffries was a Protestant chancellor. Was the conduct of Jeffries to the bishops forgotten?—a man who, though a Protestant, was as great an enemy to Protestants, and as averse to admitting them to power, as Father Petre himself? The protection of the great seal might be as little to be relied on as in the reign of Charles 2nd, when lord Shaftesbury was chancellor, or in that of James 2nd, when Jeffries filled that office. If the first lord of the Treasury had no voice in the nomination of the commissioners, he might not even know who they were, any more than if they were in New Holland. If he was asked about them, he might answer, just as he would about a money-lender, "I understand there is one Moses Moses, at No. 2, in some alley up a court; go to him." Or he might say, "I do not know

where these commissioners live; go, and find them out." So that, according to this bill, a prime minister might make a lord chancellor, but he could not compel that lord chancellor to put his seal to an appointment. But there might come a time when no security would be found in the character of a lord chancellor himself. The emancipators argued for abstract and indefeasible right; this was the footing upon which the Catholic claims were put by lord Plunkett. But no, said this bill; we do not admit this doctrine: we allow office to the Catholics, but we do not annex power and patronage to them. The bill proved capacity for office in the Catholics, by the very exceptions which withheld them. And, who would these commissioners select? Would they select Protestants who would, or those who would not, apostatize?

When this bill was dissected and anatomised, it would be found to destroy itself. It admitted the danger, and yet it provided no security for Protestants. He would not have condescended to stultify himself by the composition of such a bill. He had refused to draw it up. The folly and the contradictions be upon the heads of those who did so! [hear]. They might have turned him out of office; but he would not be made such a dirty tool as to draw that bill. Let who would, he would not defile pen or waste paper, by such an act of folly, and forfeit his character for common sense and common honesty. He therefore declined to have any thing to do with it. Had gentlemen read this bill? According to it, any Catholic who took ecclesiastical preferment was guilty of a misdemeanour, and could hold his office no longer: and again, any Catholic who advised his majesty respecting the appointment to an ecclesiastical office was subject to the same penalty. Might he be permitted to ask, who drew that clause? The very clause which created the offence, contained an absolute prevention of a conviction for that offence. The established church of Ireland was protected by a flimsy sort of security in this bill. The right hon. gentleman said, that none of the dignitaries of the Romish church were to be permitted, *eo nomine*, to hold English titles, as nominees of the Pope; but these titles might be held by virtue of a money medium; a 50*l.* bank-note would enable Dr. Doyle, or Dr. Curtis, or any other, to sport Catholic titles. The bill

forbade this, except upon the payment of 50*l.*, which was all the penalty inflicted. There was no penalty in the bill higher than 200*l.*; so that, in fact, the whole protection of the British constitution consisted in penalties of 50*l.* to 200*l.* No control over the See of Rome—none over the nomination of bishops—nothing after the passing of this bill in the way of security for the Protestant establishment—but those penalties of 50*l.*, 100*l.*, and 200*l.* The Catholic archbishop might call himself archbishop of Dublin or of Troy. It was all one; the 50*l.* penalty was the only security we possessed in that way.

His right hon. friend had expressed a hope, that this question would be discussed with good humour. He was certainly disposed so to do, and he hoped he had said nothing that could be considered a departure from good humour. But let his right hon. friend look, and he begged the House to consider, how these penalties were to be paid. Why, they would be paid by the Catholic rent. The funds collected to a large amount, as rent, would be more than sufficient to pay the duties imposed by this new custom-house tariff. It would be sufficient to render those penalties inoperative for the end proposed; and those safeguards on which they were told to rely, would be compromised, just as an unqualified man would compromise for his offence by the payment of 5*l.* for the killing of a hare. Then, after all, the securities for the Protestant constitution of this Protestant country were to be exchanged for penalties of 50*l.*, and 100*l.*, or 200*l.*, which the parties violating the law would put down upon the table, and laugh at the same time at those who demanded them.

He begged pardon for having trespassed so long on the attention of the House, and was thankful for the attention he had received; and that attention was so indulgent, that he would beg to trespass on it a little longer. He had examined the bill only on a few points. There was one thing more which he could not omit. One article of the Bill of Rights secured the right of petition. That right, he could not but say had been most uncourteously treated on this question. He had heard it said, that petitioning against the measure was faction. If it was faction, it was a faction of the whole, he might almost say, of the British people,

It was a faction which had for its object the maintenance of the rights, liberties, and religion of the country; for he differed widely—painfully, he admitted, but widely—as to the point, that this was not a religious question. He thought it was a question of religion—of that religion which had been established since the time of Henry 8th. It was, he admitted, a mixed question, but there was more in it of religion than politics; and, viewing it in that light, he would say to the people of England what had been said to the people of the sister kingdom by a noble marquis who had been recalled, he did not know why. That noble marquis had told the people to go on to defend their rights legally and constitutionally, but to go on and defend them, and they must succeed. He would say the same to the people of England,—“Go on and defend your rights and religion legally and constitutionally; but go on and defend them: do not apostatize, and you will secure your religion, your rights, and your privileges, untouched.” In conclusion, the hon. and learned gentleman said, that he felt it necessary as an individual to declare his sentiments on this great question. Those principles he would not abandon from any considerations of office. As the attorney-general of the king, he could not consent to what he believed would be the death warrant of the constitution of England; and with this feeling he would give the measure before the House every opposition in his power.

Mr. Secretary *Peel* rose to reply, and as he rose the cheers of the supporters of the measure were so mixed with those of the opposite side, that it was some moments before he could proceed. He began by observing, that about three-fourths of the speech which had just been delivered ostensibly on the principle of the bill—about three-fourths of the defence of the sacred cause of the Protestant constitution—had rested on personal observations. That defence had been made to rest on personal imputations. He would say, that it partook much more of rancorous personal hostility than of ardent attachment to the Protestant constitution. What were the personal charges and imputations—and what did they prove? Why, that if this bill had been introduced from personal interests, it showed the height of folly and absurdity in those who introduced it. But, was this so? Was it not rather in-

troduced, at the sacrifice of party, and he would say of personal connexions? These were sacrificed to promote the removal of the disabilities under which the Roman Catholics laboured. But what had dictated this sacrifice? What was the cause of this alleged dereliction of principle, of consistency—of this disregard of party feelings and strong opinions?—a sense of duty, which would relinquish all to accomplish measures which were considered indispensable to the safety of the country. That aspersions should have been made on those who took this course was not a surprise to him; but, though the last to declare his sentiments, yet the foremost in casting such aspersions was the hon. and learned gentleman who had just addressed the House; and he owned, that it was with no little surprise he had heard a person in the hon. and learned gentleman's situation disclosing matters which could have been communicated to him only in official confidence. The time was not yet arrived when he should be at liberty to state all the difficulties with which his noble friend at the head of the government had had to struggle, with respect to the measures which had been introduced, or when justice could be fairly done to him and to those who acted with him. Of his noble friend he might say on this occasion, what what was said of *Agricola*—“*naturali prudentia quamvis inter togatos, facile justeque agebat*” [cheers]. But, the time would arrive, when this justice would be done, and when he could satisfactorily explain, why only a seven days' notice had been given of the measures which had been recommended in the Speech from the throne. With respect to himself, as connected with the measures before the House, he had hoped at one time that he should have been able to have given his support, his entire and cordial support, to the intentions of his noble friend, in the capacity of a private individual. He was ready to pay the full penalty of what the hon. and learned gentleman had been pleased to call his apostacy, by relinquishing office and returning his trust to his constituents; but, though he was ready to pay that penalty, let no man say that he was bound to adhere to any party, or to give his advice, in opposition to what he thought to be necessary for the welfare of the country. He would tell the hon. and learned gentleman when it was he had determined to commit his fortune with that of his

noble friend on this important question, and to abide by the result, be it what it might. It was at a moment when the difficulties of the question seemed to increase—on the day when the highest authorities in the church declared, that they could not give their support to the proposed measure. From that hour, happen what might, he was determined not to abandon his post, but to give to his noble friend all the support he could, as a public man, and to share with him, as a minister, all the responsibility [loud cheers]. But these were circumstances into which he could not now enter fully, and even the mention of them had been forced from him by the, he must say, extraordinary conduct of one whom he considered a confidential friend [cheers]. He saw that hon. and learned gentleman seven days before the communication in the Speech from the Throne. His duty as a minister of the Crown did not permit him to disclose what was passing in the cabinet to any man, until the mind of the cabinet was made up; and the first man to whom he had made the communication was the hon. and learned gentleman. He felt called on to do this from his confidence in the hon. and learned gentleman, as his friend, and from respect to his official station. He told him that the Catholic Association had assumed a form which made it necessary that it should be put down, but that he also considered it but right and candid to tell him, that that was not the only measure which was then in the contemplation of his majesty's government—that they considered, that the measure for suppressing the Association would not be sufficient, if they did not advise his majesty to recommend to parliament to take the whole state of Ireland into consideration. He told him of the whole measure of relief intended to be proposed for the removal of Catholic disabilities, and of the measure which was to accompany it with respect to the forty-shilling freeholders of Ireland; and for a man, who had that evening expressed such horror at what he now seemed to consider so atrocious a proceeding, he had never seen any one who kept such complete control over his countenance as the hon. and learned gentleman did on that occasion [cheers and laughter]. As his friend, he might have expected that the hon. and learned gentleman would have told him of the great difficulties which lay in his way in the Coronation Oath. It

would not have been unreasonable to expect, that he should have told him of the dangers to which the constitution and the Protestant establishments would have been exposed—of the total ruin which, in his opinion—(as he had since expressed himself to the House)—must come upon them, if these measures were pressed; and that he as the king's attorney-general, could not lend his assistance to forward them; yet the hon. and learned gentleman would do him the justice to admit, that not one word of the kind had escaped him on that occasion. But, when a measure for the suppression of the Catholic Association was introduced, the hon. and learned gentleman gave it his support, though it was avowed at the time, and the hon. and learned gentleman was well aware of the fact, that the measures founded upon the recommendation from the throne were not intended to be confined to that act. Was it, he would ask, quite fair to give such support to a measure which was passed on the implied condition that it was to be followed by another, which was intended to settle the Catholic question? Was it fair that he should support one, an understood condition in the passing of which was, that it was to be followed by another to which he felt such insuperable objections?

In reference to those personal charges which the hon. and learned gentleman had made, he was surprised that the hon. and learned gentleman should, in making them on his noble friend lord Lyndhurst, who was not there to answer them, diverge from a subject which he himself admitted was of such paramount and overwhelming importance. His noble friend, when master of the Rolls, had not, as the hon. and learned gentleman had represented, declared himself a decided enemy to all concession. His noble friend, on the occasion alluded to, was asked, what he would do with Ireland? and he remembered the remark made at the time by the hon. and learned member for Winchelsea, that his noble friend had escaped from the answer to that question, with a degree of agility scarcely befitting the dignity of his official office. But the fact was, his noble friend had answered it. He had stated, that he was not a member of his majesty's government, and that he did not feel bound to declare what he would do with respect to that country. But, what was his situation now? He

was now a member of the government—he was responsible for the advice he gave—and he was bound to give the advice which he thought best for the interest of the country. His noble friend had said, at that time, that if securities should be proposed which the Catholics would concede, and with which the Protestants would be satisfied, he, for one, would agree to the concession sought for. Then it was clear, that he did not think at the time, that there was in the constitution an insuperable bar to a measure which would grant the relief for which the Roman Catholics sought, and if at a future time any pressing necessities should force the measure on the attention of government, there was nothing dishonourable, no dereliction, no apostasy in agreeing to those concessions.

The hon. and learned gentleman had next stated, that there was one part of the question to which he was determined not to advert—and what was that? Why, the state of Ireland. That was the very trifling and unimportant point of the case on which the hon. and learned gentleman would not touch [hear, hear]. Why the hon. and learned gentleman must know as well as any man one circumstance connected with that point—that the common law of the land was not found sufficient to put down the Catholic Association. By whom was the bill of 1825 framed—who was consulted upon it—but the hon. and learned gentleman? Had he since attended to its effects; or if he found the Association still in operation, had he ever referred to that act, and sought that its enactments should be enforced? When he heard the discussions about the inefficacy of the common-law to meet the state of Ireland, did he say—“There is my bill of 1825; let its provisions be put in force?” He apprehended the hon. and learned gentleman, and those who agreed with him, would admit, that when that act of 1825 had expired, the common-law was not found sufficient to afford a remedy for the evils which existed in the formation of the Catholic Association, or that any of them would have been willing to risk the consequences of leaving that body to be put down by the operation of the common-law alone; and yet with this conviction, the hon. and learned gentleman would not look to the state of Ireland, as forming any important point in the

consideration of this question. It was very well for the hon. and learned gentleman, and for the hon. member for Kent to say, that that was a consideration of government. Really, it was rather hard that the proposing a remedy for Ireland should be left to the government, and when that measure was proposed, which, in the opinion of the responsible advisers of the Crown, would be the only effectual remedy, those who proposed it should be at once met with the charge of apostasy. It was hard that ministers, who thought that something must be done—who were willing to propose that something on their responsibility, should be turned round upon and stigmatised as apostates—by those who, however they admitted the necessity of having something done, would themselves not propose any thing.

They might argue this question for ten nights in succession, and endeavour to blink the real question as much as possible, but still that question would recur—“What was to be done with Ireland?”—not, he would say, merely for the Catholic population of that country, but what for the Protestant interests, and the safety of its Protestant establishments? They had in that country seven millions of inhabitants, two of them Protestants of different denominations, and five of them Catholics. Were those facts which he was about to state, or were they not? There were among those millions, a large portion of one class of them, opposed, politically opposed, to a portion equally large, not of the others, but of the same class, and against the whole of the other class which constituted the great majority of the population. This population, he meant the five million of Catholics, had increased, greatly increased, within the last thirty years in number, in wealth, and in intelligence; but these were matters which it appeared were not worth the consideration of the hon. and learned gentleman. Upon this point, he would enter into no contest; though he admitted that his noble friend (lord Palmerston), who had so ably alluded to that subject, had made a very eloquent speech. He envied not the noble lord his victory, when the hon. and learned gentleman rested it upon the statement, that his noble friend had made a better speech than himself (Mr. Peel). He had heard his noble friend's able address with sincere pleasure—a pleasure which he could assure the hon. and learned gentleman was not in

any degree diminished by the disadvantageous contrast that he had made. But, to revert to the seven millions, the population of Ireland—there were five millions of Catholics, who had within a few years, greatly increased in wealth and intelligence. They were all united in their claim on the legislature of the country, for an equal participation with their fellow-subjects of the rights and privileges belonging to British subjects. How was their demand to be met? By a united Protestant people? No; but by a Protestant population, more than equally divided on the same question—for it was not too much to say, that the larger portion of the landed and commercial wealth, and of the intelligence of Ireland, were in favour of concession. What, then, he would ask, would be the feeling of the hon. and learned gentleman, supposing he could succeed in defeating the measure now before the House—he meant in a fair and manly manner, and not by sly and dark insinuation [hear, hear]? But, supposing he could defeat it, and were to undertake the government of the country with some of those who agreed with him in opinion—would he rely on the Protestant population of Ireland for the support of their administration? He would contend, that the Protestant population, he meant the majority of them, in point of property and influence, seeing now a prospect of the settlement of the question, would be as much, or perhaps more, disappointed and irritated than even the Catholics themselves; and they would, no doubt, not be indisposed to renew the attempts at agitation through the country. But, he had made the supposition of the success of the hon. and learned gentleman and his friends only for the sake of argument. The government, which proposed the measures now before the House, would not fail. They would go on steadily and perseveringly, in the course they had pointed out, regardless of future consequences to themselves, and undeterred by the taunts or insinuations which might be thrown out by the hon. and learned gentleman, or those who concurred with him, until they had secured the safe, final, and satisfactory settlement of the question.

The right hon. gentleman again adverted to the great and increasing numbers of the Catholics—to their increasing wealth and intelligence—and observed, that they

were now a compact and united phalanx, while the Protestants were disunited. He called on the House to read the history of the election for the county of Clare—to consider that it proved the Catholics to possess a power which they knew how, and were determined, to use; and though that power might be noxious to themselves, it would not be the less injurious to Protestants—a power which, though they knew its value, they would willingly give up for an equal admission with their Protestant fellow-subjects to the privileges of the constitution. The right hon. gentleman next dwelt on the intense, but sober enthusiasm, evinced by the people of Clare—the perfect discipline they had shown—their abstinence from indulgences to which they were accustomed—their forbearance from every kind of excess, and their perfect and complete organization—and contended, that the contemplation of such a union was awful, and could not be overlooked by any statesman. He ridiculed the notion of putting down that spirit by the sword, for the people did not afford that chance to those who might be disposed to avail themselves of it. They contended not with such weapons, but with those which the law had placed in their hands by the privileges already granted to them. The question again recurred—what was to be done? Was the elective franchise to remain as it was; or was it to be removed without any attempt to remove the causes of discontent?

The right hon. gentleman next referred to an authority which he believed would not be denied—that of an intelligent Protestant clergyman, who had much experience of Ireland—to show that the Protestant religion had not gained in numbers by the penal code; but that, on the contrary, that of the Catholics was gaining; and if those penal laws were continued, would obtain the ascendancy. The clergyman to whom he alluded, in a speech which he had made at a public meeting, said—“I have had charge of one parish in the county of Wexford, where there were twenty Protestant families, but not being able to get on here, they emigrated to America, and yet gentlemen will ask where are the Protestants to be found? In another parish in the county of Wicklow, fifteen Protestant families were obliged to emigrate, and yet gentlemen will ask where are the Protestants. In another parish I had also charge of a number of Protestant

families, of whom many have been compelled to leave the place, and many to emigrate. I am also acquainted with another part of the country, from which thirty-six Protestant families removed. Now, taking each family to consist of five persons and a half on an average, this will show that two hundred Protestant families have been removed in this manner from one part of the country alone. These are examples of what is occurring in various parts of the kingdom—these are scenes—‘*Quæque ipse miserrima vidi*,’ and therefore it is not surprising, that I cannot acquiesce in what has been said on the other side. Let me, gentlemen, now come nearer home. Have not three ships sailed from this port of Sligo within the last three months, filled with Protestant emigrants from Ireland? I say, Sir, that from the documents which have come to my knowledge, it appears that upwards of twenty-five thousand Protestants emigrated in the course of last year from Ireland.’ Such was the statement of the rev. gentleman. He would ask, then, was it expedient for the maintenance of the Protestant interest, and of the Protestant ascendancy, that this state of things should continue? Under the excitement which existed at present, the Roman Catholic aristocracy, the Roman Catholic laity, and the Roman Catholic clergy were banded together; and the power of that compact body was too strong for isolated families of Protestants to resist. They therefore preferred going in crowds to America, to living in the midst of so great and so violent excitement. He knew it was said, that matters would grow worse, but he hardly knew how they could be worse than they were stated to be in the details which he had just read to them. There were no means at present of shaking the compact body which the Roman Catholics formed; they were inaccessible to the influence of the Crown; they were supported by a large majority in the House of Commons; and though he might wish, if it were practicable, to maintain the constitution in the state in which it existed in 1688, still, under existing circumstances, he thought it better to incorporate the Roman Catholics into the constitution, than to continue to exclude them from it by enactments which only added to their strength and increased their power.

The hon. baronet, the member for Kent, in the speech which he had last night ad-

ressed to him and to him exclusively had allowed the sacred cause which he professed to have so much at heart to rest entirely on the part which he had taken in the debates of the House in the years 1826 and 1827; and apparently for no other purpose than that of exciting an unfavourable prejudice against him—had said, “You are guilty of gross misrepresentation and gross injustice. Formerly you stated that this was a religious question—now you deny it; and so we have you saying one thing now, and another thing then, and, after all, not concurring at this moment in the character which the hon. and learned member for Winchelsea gave of this question.” Now he would say once for all, that he fully agreed in the sentiment expressed by the hon. and learned member for Winchelsea with respect to this question not being a religious one. But when he said this, he would ask, whether the hon. baronet supposed that he meant that this question had no regard to the religious establishments of the country, nor to the preference of the Protestant over the Roman Catholic religion? What he meant to say was this—that the present question was not a question of conscience—that there was no precept of the Protestant religion which forbade them from considering this great and important question. He had been referring to the argument, in which it was stated, that the House was not at liberty to discuss this question, because, forsooth, we were forming an alliance with idolatry by discussing it. Now, that position he positively denied. He found it stated in the paper to which he had referred, and which was drawn up by a very ingenious gentleman of the name of Faber, that as we were obliged to make the declaration against transubstantiation on taking our seats, we were forming an Union with idolatry in seeking to repeal it. It was in allusion to that paper, that he had claimed for statesmen that liberty of judgment which certain ecclesiastics now seemed inclined to monopolize to themselves: it was in allusion to that paper that he had said, that the present was not a religious question.—The hon. baronet had then said, “the Roman Catholics are excluded from the constitution on account of their religion.” He denied it. They were never excluded on account of their religion—they were excluded for a supposed deficiency of civil worth; and the religious test was applied to them, not to

detect the worship of saints or any other tenet of the religion, but as a test to discover whether they were Roman Catholics. It was a test to discover the bad intriguing subject, not the religionist; and, therefore, when he parted with the declaration against transubstantiation, it was not from any doubt which he entertained as to the doctrines of the Roman Catholics, but from looking at it as a test of exclusion, and from thinking that when the exclusion was deemed unnecessary, the test of exclusion might be dispensed with.

There is another point in the hon. baronet's speech (continued Mr. Peel), which I wish to notice. After a week of concocted sarcasms, which the hon. baronet last night poured out upon me, what was my surprise when I heard him, in a sort of parenthesis to his speech, declare, "I am ready to go further, much further, than those who usually vote with me; and I who call you an apostate, and who taunt you with betraying and destroying the confidence of the public in public men—I, even I, am ready to give to the Roman Catholics every thing they ask, save seats in parliament and offices in the privy council." Now, will the hon. baronet allow me to ask him when his conversion to these liberal opinions took place? How was it effected? On what grounds does it rest? How is it that he, who has all along been resisting me, not on the propriety of admitting Roman Catholics to seats in parliament, but on the propriety of considering this question at all—how is it, I say, that he, who talks to me of apostacy and breach of confidence, has ventured, like me, to change his opinion? [hear, hear, and a laugh]. The hon. baronet could not surely have resisted the motion for the consideration of this question; for he was now ready to give to the Roman Catholics every thing but seats in parliament, and the forty offices which belong to the privy council. Yes; the hon. baronet declares himself ready to give to the Roman Catholics all the offices in Ireland save three—for that is not more than the number of offices there which are necessarily connected with the privy council. Every executive office in Ireland the hon. baronet will bestow on the Roman Catholics. What, then, becomes of the question of religionists there? What becomes of the solemn quotation, which he made with upraised hands to the House, "*Nusquam tuta fides?*" [hear, hear].

What becomes of his exclamations about confidence never again to be restored to public men? If the hon. baronet is ready to admit the consideration of this question, and to give every thing but seats in the privy council and in parliament to the Roman Catholics—if he is ready to admit Roman Catholics to be competent to fill every executive office in Ireland, to sit on the judicial bench, and to hold every situation connected with the administration of justice in that country—if he is ready to make a Roman Catholic solicitor-general, or, if need be, attorney-general [hear, and a laugh]—for it is not necessary that an attorney-general should be a privy councillor, and at this moment the solicitor-general is not a privy councillor—will he tell me, when he comes to defend his nice distinctions—will he tell me, I say, why he will let Roman Catholics fill these offices in Ireland, and yet exclude them from seats in parliament? What, then, becomes of the hon. baronet's argument about the intimidation produced by factious demagogues on government? Why, if he fears so much, should he yield any thing? "But then," says the hon. member for Newark, "this is the most unfit time of all others to consider this question;" and why?—because, forsooth, it is the latest [a laugh]—an objection which, if it is worth any thing, will continue to acquire accumulated energy every time the question comes before parliament. If we do not settle it now, every year, according to the doctrine of the hon. member for Newark, will furnish us with new and accumulated obstacles.

But to return to the hon. baronet. If he will admit Roman Catholics to every office but those which he has stated, will he tell me why, when he is ready to go so far, I may not be permitted to go a little further? and if I think my plan better calculated to promote Protestant interests than his, why I may not be permitted to adopt it? Surely, if he is at liberty to change his opinions, I may be at liberty to change mine too. "But," says the hon. baronet, "the constitution of 1688 forbids." I say, that if the constitution of 1688 prevents me from proceeding in my mode of settling the question, it equally prevents him; for the exclusion from office is sealed by exactly the same bonds as the exclusion from parliament. In the Bill of Rights it is expressly stated, that the new Oath of Supremacy, and the

new Oath of Allegiance, shall be administered to every officer under the Crown, to whom the former Oath of Supremacy was applied on his admission into office: and here let me observe, that when, upon a former occasion, I used the phrase of "breaking in upon the constitution," of which such unfair and such unjust application has been made, I meant, that we should only have occasion to alter the words of that bill. What! have we never altered them before? If the alteration of them be a breaking in upon the constitution, we broke in upon it some years ago, when we admitted Roman Catholics to have commands in the army and the navy. On other occasions, too, we have repealed the arrangements of the year 1688. Lord Liverpool, I say, broke in upon the constitution—nay more lord Eldon himself broke in upon the constitution, when he admitted Roman Catholics to hold offices in the collection of the revenue; for the Bill of Rights required, that every officer who received the king's wages should, on his admission to office, make the declaration against transubstantiation.

The right hon. gentleman then proceeded to state, that he for one should most strenuously object to the hon. baronet's proposal for settling the Catholic question; for he was convinced, that if they considered that question at all, they must come to this conclusion—that no other alternative was left to them but a final and conciliatory adjustment of it. There was no use in giving the Roman Catholics fresh powers, unless you gave them powers to the extent of their demand. The powers which you gave in that manner would soon be made available by them in the demand for more. He had therefore consented to give them a full and fair participation in the advantages of the constitution, and his proposition now rested, as he had stated on a former evening, on the integrity of the Protestant church and the Protestant institutions of the country, and on the perfect equality of Protestants and Roman Catholics, as far as regarded every civil privilege [hear, hear]. He repeated, that it was his conviction, that if you once broke in upon the exclusive system in Ireland, as was done in 1793, there was no intermediate system, at which they could stop, but you must go on and establish a perfect equality of civil rights. One hon. gentleman who had taken a share in the

debate, had said, "if there is one thing which I detest, it is yielding to considerations of expediency, either in morals or in politics." Now, as to the impropriety of yielding to considerations of expediency, in regard to moral obligations, he would say, that he fully concurred with the hon. member; but if the hon. member meant to class political emergencies with moral obligations, and to exclude the consideration of expediency from the management of public affairs, all that he would say was this—that he hoped the hon. gentleman, and those who thought with him, might never have any influence in the direction of the affairs of this country. How can public affairs, he asked, be conducted, except upon the principle of expediency? To class political emergencies with moral obligations, and to exclude all considerations of expediency from the administration of a great country, is an absurdity which he was not prepared to expect from a gentleman who had shown so much tact and discernment on other topics.

He felt that he had been provoked by personal allusions to enter too much upon a subject which he ought to have considered as already exhausted; but there was one observation which he must make, upon a charge which had often been brought against the government, namely, that it had taken the country by surprise on this question. Now, that surprise was inevitable upon this question. The government was formed on the principle, that the Catholic question should be an open question. What advantage, therefore, could it have derived from saying to the country, "We now think of settling the Catholic question?" The government had never had any objection as to settling the question; their only difficulty was as to the terms. Every member had voted on the first night of the session in favour of the address, which spoke in express words of the necessity of settling the question, but every member reserved to himself the right of judging of the plan which government might propose for its adjustment. Therefore, if government had told the country "we think of settling the Catholic question," it would have told the country nothing, unless it had also stated the plan on which it was to be settled. If we had given notice beforehand, that we intended, previous to the settlement of it, to suppress the Catholic Association, and to accompany the

bill of relief with a bill for disfranchising the 40s. freeholders, should we not have made declarations which of themselves would have precluded all conciliatory settlement? Men would have been provoked into declarations, from which they would have afterwards felt that they could not recede, and preliminary obstacles would have been raised to our proceeding, which it would have been almost impossible to overcome. Such a course of proceeding as the gentlemen opposite recommended to government might have been an ingenious plan to defeat the settlement of the question, if we had not had it sincerely at heart, as we always had; but it would have invited discussions in Ireland, which would have created an irritation so universal, as to render it impossible to approach the subject with the slightest prospect of success.

Another hon. member had said, that the government had no right to propose the settlement of this question in the present parliament—that this parliament was not competent to decide it—and that there must be a fresh appeal to the sense of the people. This doctrine the hon. member rested upon two arguments. The first was, that we had all taken the Declaration against Transubstantiation, and that we were therefore incompetent to alter it. If this be so, how, he would ask, was that Declaration ever to be altered? Now if parliament was not competent to alter the Oath of Supremacy, or the Declaration against Transubstantiation, how did it happen that at the time of making the Union with Scotland, and at the time of making the Union with Ireland, a party both in Scotland and in Ireland, with a view of defeating the Union, had proposed, that the Oath of Supremacy and Declaration against Transubstantiation should be made fundamental branches of both acts of Union? That was, however, refused in each act of Union; and if hon. gentlemen would take the trouble to refer to the words of those acts, they would find, that in each of them a provision was made that the Oath of Supremacy and the Declaration against Transubstantiation should be taken by members of parliament on taking their seats, until parliament shall otherwise provide. So far, then, were the parliaments of former days from considering those oaths as permanent parts of the acts of Union, that they absolutely contemplated the necessity of altering them.

As to the appeal to the country, let him ask hon. members to consider whether it would be wise to set such a precedent as to declare their own incompetency to legislate upon any question which the Crown might think proper to submit to their consideration? Would they so far stultify themselves as to begin to consider what questions they were competent to debate? Supposing they were to make such an appeal to the country, how many questions did they think would arise hereafter, in which it would be said to them—"There is a precedent set you by the parliament of 1829, which dissolved itself, because it felt itself incompetent to act, do you follow its example?"—"I deny, Sir," continued Mr. Peel, "the necessity for making such a precedent. No; we will not stultify ourselves so much as to say that we are not supreme as to every measure of legislation which may come before us. But then we are told that this is a religious question, and that it is to be discussed as such. When I hear hon. gentlemen rising up in their places and solemnly declaring, that it is an offence against God to attempt the settlement of this question in a conciliatory manner, I feel that they have armed me with a conclusive argument for not making any appeal at present to the people. Would you agitate England and Ireland from one end to the other on so tender and delicate a subject? You might, indeed, by resorting to such a course, obstruct for a time the settlement of the question, but it would be at the expense of the reverence due to religion itself. If the question be rested, as I think it ought to be rested, on the grounds of public expediency, let us assert our own powers to make the adjustment of it effectual. I believe that it may be safely and permanently adjusted on the grounds which I have stated. I believe that it may be so adjusted as to give security to the Protestant establishment and to the Protestant interests in Ireland; and it is because I believe so, that I am content to abandon the course which I have hitherto pursued, and to give the relief to the Roman Catholics which they have so long prayed for. I entreat hon. gentlemen who differ from me in opinion, to consider the altered position of affairs in Ireland, since the annunciation of these measures of grace and favour has been made. To be defeated now—to throw the question

back upon us—when a greater calm has been produced in Ireland than I ever knew to exist there—when there is no spirit of vulgar triumph displayed on the part of the Roman Catholics—and, in justice to the Protestants I must say it, when their disappointment has been marked by the most patient submission—to lose the advantage which we have now gained, and to reject the conciliation which is within our grasp, would be attended with consequences so fatal to the repose of the empire, that I cannot even in fancy bear to contemplate them.

“One parting word, and I have done. I have received, in the speech of my noble friend, the member for Donegal, testimonies of approbation which are grateful to my soul; and they have been liberally awarded to me by gentlemen on the other side of the House in a manner which does honour to the forbearance of party among us. They have, however, one and all awarded to me a credit which I do not deserve for settling this question. The credit belongs to others, and not to me. It belongs to Mr. Fox,—to Mr. Grattan,—to Mr. Plunkett,—to the gentlemen opposite,—and to an illustrious and right hon. friend of mine, who is now no more [cheers]. By their efforts, in spite of my opposition, it has proved victorious. I will not conceal from the House that, in the course of this debate, allusions have been made to the memory of my right hon. friend, now no more (Mr. Canning) which have been most painful to my feelings. An hon. baronet has spoken of the cruel manner in which my right hon. friend was hunted down. Whether the hon. baronet was one of those who hunted him down, I know not, but this I do know, that whoever did join in the inhuman cry which was raised against him, I was not one. I was on terms of the most friendly intimacy with my right hon. friend down even to the day of his death; and I say with as much sincerity of heart as man can speak, that I wish he was now alive to reap the harvest which he sowed, and to enjoy the triumph which his exertions gained. I would say of him, as he said of the late Mr. Perceval—‘Would he were here to enjoy the fruits of his victory!’—”

‘*Tuque tuis armis: nos te poteremur, Achille.*’

I am well aware that the fate of this measure cannot now be altered, if it succeed, the credit will belong to others; if it fail,

the responsibility will devolve upon me, and upon those with whom I have acted. These chances, with the loss of private friendship and the alienation of public confidence, I must have foreseen and calculated upon before I ventured to recommend these measures. I assure the House, that in conducting them I have met with the severest blow which it has ever been my lot to experience; but I am convinced that the time will come—though I may not live to see it—when full justice will be done, by men of all parties, to the motives on which I have acted,—when this question will be fully settled, and when others will see that I had no other alternative than to act as I have acted—they will then admit, that the course which I have followed, and which I am still prepared to follow, whatever imputation it may expose me to, is the only course, which is necessary for the diminution of the undue, illegitimate, and dangerous power of the Roman Catholics, and for the maintenance and permanent security of the Protestant interests.”

The *Attorney-general* said, that the right hon. Secretary, in the early part of his speech, had charged him with having betrayed the confidential communications of the cabinet. I say, (continued the learned gentleman) it is not true. I believe that no one out of the cabinet knew of their intention to propose these measures seven days before the meeting of parliament. I have not disclosed any part of what the right hon. gentleman stated to me. I flatly, positively, and directly deny the assertion.

Mr. *Peel*.—Every gentleman will at once perceive, that it may be extremely inconvenient for an officer of the government to take upon himself to state the precise moment at which a communication was officially made.

The House divided: For the second reading 353; Against it, 173; Majority 180.

List of the Minority.

Antrobus, G. C.	Bastard, John
Archdall, M.	Batley, C. H.
Arkwright, R.	Beckett, rt. hon. sir J.
Ashurst, W. H.	Belfast, earl of
Astley, sir J. D.	Bell, M.
Atkins, J.	Blackburne, J.
Attwood, M.	Blandford, marquise of
Baker, E.	Borradaile, R.
Banks, H.	Bradshaw, J.
Barne, M.	Bright, H.
Bastard, E. P.	Brydges, sir J.

Buck, L. W.
 Burrell, sir C.
 Burrell, W.
 Buxton, J. J.
 Capel, John
 Carmarthen, marq. of
 Cawthorne, J. F.
 Cecil, lord T.
 Chaplin, C.
 Chaplin, T.
 Chichester, sir A.
 Cole, hon. A.
 Cooper, R. B.
 Cooper, E. S.
 Corry, viscount
 Corry, hon. H.
 Cotterell, sir J. G.
 Cripps, J.
 Curteis, E. J.
 Curzon, hon. R.
 Cust, hon. P.
 Cust, hon. F.
 Dalrymple, A. J.
 Davenport, D.
 Davis, R. H.
 Dawkins, H.
 Dick, Q.
 Dick, H.
 Dickinson, W.
 Domville, sir C.
 Dottin, A. R.
 Dowdeswell, J. E.
 Downie, R.
 Drake, J. T.
 Drake, W. T.
 Dugdale, D. S.
 Duncombe, hon. W.
 Dundas, R. A.
 Egerton, W.
 Estcourt, T. G. B.
 Estcourt, T. H. S. B.
 Encombe, lord
 Evans, H.
 Farquhar, J.
 Fellowes, W. H.
 Fetherston, sir G.
 Foley, E.
 Fyler, T. B.
 Gascoyne, I.
 Gooch, sir T. S.
 Grant, sir A. C.
 Greene, T.
 Gye, F.
 Handcock, R.
 Harvey, sir E.
 Hastings, sir C.
 Heathcote, sir W.
 Hill, sir R.
 Hodson, J. A.
 Hope, sir W.
 Hope, sir A.
 Hotham, lord
 Houldsworth, A. H.
 Houldsworth, T.
 Inglis, sir R. H.
 Keck, G. K. L.
 Kerrison, sir E.
 King, sir J. D.
 King, hon. H.
 Knatchbull, sir E.
 Legge, hon. A.
 Lennox, lord G.
 Lott, H. J.
 Lowther, viscount
 Lowther, hon. H. C.
 Lowther, sir J.
 Lowther, J. H.
 Lucy, G.
 Lushington, J. L.
 Luttrell, J. F.
 Macleod, J. R.
 Macqueen, T. P.
 Malcolm, N.
 Mandeville, viscount
 Manners, lord R.
 Maxwell, H.
 Meynell, H.
 Moore, G.
 Miles, P. J.
 Mackinnon, C.
 Morgan, sir C.
 Morgan, G. G.
 Mundy, F.
 Mundy, G.
 Newborough, lord
 Nicholl, rt. hon. sir J.
 Noel, sir G.
 O'Neil, hon. J. R. B.
 Palk, sir L.
 Pallmer, C. N.
 Peach, N. W.
 Peachy, W.
 Pearse, J.
 Peel, Jonathan
 Pelham, J. C.
 Pennant, G. H. D.
 Petit, L. H.
 Philipps, sir R. B.
 Pigot, G. R. G. F.
 Pitt, J.
 Powell, A.
 Powell, W. E.
 Price, R.
 Rickford, W.
 Rochfort, G.
 Rose, rt. hon. sir G.
 Rose, G. D.
 Ryder, rt. hon. R.
 Scott, hon. W.
 Scott, hon. W. H. J.
 Shirley, E. J.
 Sadler, M. T.
 Sibthorpe, C. D. W.
 Smith, S.
 Smith, A.
 Smyth, sir G. H.
 Sotheron, F.
 St. Paul, sir H.
 Strutt, J. H.
 Tapps, G. W.
 Taylor, G. W.
 Thompson, G. L.
 Trant, W. H.
 Trevor, hon. G. R.

Tudway, J. P.
 Tullamore, lord
 Uxbridge, earl of
 Vyvyan, sir R. R.
 Walrond, B.
 Ward, W.
 Wells, J.
 Wemyss, captain
 Wetherell, sir C.
 Whitmore, T.
 Wigram, W.
 Williams, R.
 Willoughby, H.
 Wilson, R. F.
 Wilson, J.
 Wyndham, W.
 Wynne, O.
 Wood, T.
 TELLERS.
 Bankes, G.
 Chandos, marquis of
 PAIRED-OFF.
 Forester, hon. C.
 Lygon, hon. H.
 Townshend, lord J.
 West, F. R.
 Kemp, T. R.
 Foley, John

HOUSE OF LORDS.

Thursday, March 18.

ROMAN CATHOLIC CLAIMS—PETITIONS FOR AND AGAINST.] The Duke of Cumberland said, he had the honour to present to their lordships the general petition of the Protestants of Ireland, the prayer of which was, that their lordships would not grant any further concessions to the Roman Catholics. He believed that no petition had ever been presented to either House of parliament more numerously signed than the one which he had now the honour to present. It had no less than one hundred and sixty thousand signatures attached to it. Amongst those signatures were to be found the names of a great number of peers, thirty-seven of whom were resident in Ireland. To the petition, likewise, were attached the names of gentlemen of all ranks, who might be fairly taken as representing the great body of the loyal and honest Protestants of that country; and he trusted, that he should not, on this occasion, hear what had often been stated in that House, especially when petitions from his side had been presented—namely, that the lower classes in this country were not able to judge of the question. He would venture to say, that there was no country in Europe in which the middling and lower classes of the people were more enlightened and more religious, than the Protestant people of these united kingdoms. Would to God the petitioners had the advantage of a more able advocate of their cause than the individual who had the honour to address their lordships. He was not vain enough to suppose, that any thing which could fall from him would induce their lordships to act otherwise than as their consciences and judgment directed; but this he would say, that the petitioners could not have

intrusted their petition to the hands of a more zealous, firm, and determined supporter of the Protestant church, than the individual who now had the honour to address the House. He had been accused of having, on a former occasion, sounded the alarm of war—of having made use of the words “Protestantism” and “Popery.” He certainly could not be accused of having said what was not the fact; for their lordships were now in possession of the proposal which the king’s government had thought proper to lay before parliament. Parliament was told therein, that all disabilities were to be taken away from Roman Catholics—that they were to sit in both Houses of parliament—that they were to be admitted into the privy council,—that they were to be ministers—that they were to be judges of the land—in short, that every office in the state was to be open to them, except the situations of lord chancellor for England and Ireland, and the lord-lieutenant of the latter country. He should be sorry to mistake the words of any man, and did not intend to cavil about them. He therefore would not stop to inquire, whether the noble duke at the head of the government did or did not make use of the word “securities,” on a former night, in reply to a right rev. prelate; but most certainly the noble duke did say, that the proposal he was about to lay before parliament would be palatable or acceptable to both parties; and how could noble lords understand that phrase “acceptable,” except as meaning that the measure would be accompanied with proper securities for the Protestant church? Would, then, any noble lord agree to this proposition, that the stipulation that the offices of lord chancellor of either kingdom, and of lord-lieutenant of Ireland, was security enough for the Protestant church? He believed that not one of their lordships would agree to that proposition; nay, he would maintain, that even if his noble and learned friend who sat on the cross-bench (lord Eldon) were lord chancellor, in a cabinet, the majority of which was Catholic, he could not, with all his zeal and activity, alone maintain the security of the Protestant church; and he believed that no one in that House could doubt the firmness and attachment of his noble and learned friend to the Protestant establishment. The noble duke certainly had told their lordships, that he was solely responsible for the measure,

It was candid and fair enough on the part of the noble duke to state that, and he had no doubt, knowing his character for firmness, that the noble duke would use every exertion in his power to carry the measure through; but when he looked around him, and beheld so many noble peers, he rather doubted that they would so immediately enter on the measure, and was inclined to think, that they would pause, and pause well, and would consider, that the whole eyes of the country were on them—that its whole confidence was placed in that House. On these grounds he trusted, that their lordships would pause and reflect well before they came to a decision which, not many years ago—nay, which positively, not more than a few months ago—they declared to be improper by a majority of forty-five; which, it might be recollected, was the next day trumpeted through the metropolis and the country, under the appellation of the glorious forty-five. He certainly felt warmly on this question; but he trusted that, warmly as he felt, he should not forget, not only the respect which was due to their lordships, but that which was due to the public at large; and nothing could be farther from his wish than to inflame the minds of the people at a moment when they were in a very irritated state: but he had said, and would declare it again, that he looked upon this measure as one of the most outrageous ever proposed to parliament, and one which fundamentally shook the constitution of the country; and until he heard from the noble lord on the woolsack, that the question had been decided—that the measure had been adopted—he would not credit it. He meant nothing personal to the noble duke at the head of the government. He could assure him that he would be desirous to obey his every dictate, every command he might lay down in the field; but he would tell the noble duke, that in that House he felt bound to resist, in every possible shape which the law and constitution would allow, those measures which, he believed in his conscience, would be the ruin of his country. He could assure the noble duke, that he was actuated by no personal motive, but that the feelings he expressed were the sincere dictates of his heart; and therefore he would again declare, that whenever the two bills came before their lordships, he would vote against both of them, being fully convinced that the noble duke never would

have agreed to the proposal for removing the Catholic disabilities, had it not been for the disfranchisement of the forty-shilling freeholders; and he for one could not think of sacrificing his country for the sake of 10*l*.

The petition was then read at length by the clerk.

The Earl of *Wicklow* said, he had listened to the petition presented by the illustrious duke, with all the attention which a petition coming from so large and respectable a body of his fellow-countrymen required, and he was happy to say, that in its prayer, he fully concurred. When he said, that he was willing to subscribe to the prayer of the petition, he distinguished that prayer from the means recommended by the petitioners, for carrying it into effect. The petitioners requested parliament to suppress the Catholic Association. It had already been suppressed. The petitioners next required their lordships to maintain the Protestant constitution of these realms. He believed that, if the present measures had not been contemplated by government, but if their lordships had been employed in carrying the wishes of the petitioners into effect, they could have hit upon none better calculated for that purpose than those very measures themselves. His firm belief was, that if the bill did not pass, the Protestant church could not exist in Ireland. Up to the present time, the Protestant population of Ireland had been on the decline. The emigration of Protestants had been very great; and if their lordships should reject the measure now proposed, under circumstances totally different from those in which it had been rejected before—the consequences no man could contemplate. The illustrious duke had expressed a hope, that he might not hear any more observations against petitions. He was inclined to pay great respect to the petitions of the people; but when a measure like the present came before parliament, on which the opinions of the ablest statesmen, the greatest lawyers, and the most enlightened portion of the community, were divided, he must say, that he did not consider the lower classes of the people fit and competent judges of it. If the feelings of the lower classes had always been consulted as it was now desired it should be, none of the great measures of which this country was so proud, would ever have been effected. He believed that the Re-

formation itself would not have taken place, or the Union with Scotland; and, above all, he believed that the great and glorious Revolution of 1688, of which the noble lords on the cross benches assumed to be the sole patrons and admirers, never would, under such circumstances, have occurred. So much for the petitions of the lower ranks of people in this country. With respect to the petitions of the lower ranks of the people of Ireland, he would go a step further, and say, that they furnished a strong argument in favour of the measure which had been propounded to parliament. He knew well what those petitions proceeded from. They were not the result of an apprehension of danger to the constitution, but of a desire to maintain the monopoly of that constitution which the petitioners already enjoyed. Those petitions proceeded from the antipathies, the hatreds between sects, in which the lower classes had been reared from their earliest infancy, which had "grown with their growth, and strengthened with their strength." Those were the causes which produced petitions in such numbers from the lower classes in Ireland.—He now particularly addressed himself to those noble lords connected with his own country, who opposed the measures which the king's ministers conceived to be necessary to the tranquillity of Ireland, and asked them, what state of things it was which they contemplated? He would suppose, that ministers were defeated on this measure, that parliament was dissolved in the present agonized state of the country, and that a small majority of a new House of Commons might be got to support another ministry. What, he asked, would be the consequence? Suppose the new government should succeed, by means of military force, in suppressing the feeling of discontent in Ireland—suppose the Brunswick and Orange clubs were to be placed in array against their countrymen; was that to be the continued state of society in Ireland? Did noble lords deny that the measures proposed by government would restore tranquillity to Ireland? No one had said that tranquillity could be obtained without it. Ministers having declared, on their responsibility, that the measure was necessary for the tranquillity of Ireland, those who opposed the measure were bound to come forward and state, what would effect the same purpose; unless they meant to say that Ireland was

to continue for ever in her present miserable and degraded state. What, he would ask, was the danger to be apprehended from the carrying of the measure? It would admit into their lordships' House a few Roman Catholic peers—men whose ancestors had fought the country's battles: men whose ancestors were foremost in bestowing on the country all the blessings it now enjoyed. It would admit into the House of Commons the sons and relatives of peers and other individuals, whose property and interest in the country, formed the best security for their attachment to the constitution. These alone were the evils to be dreaded from carrying the measures proposed by government.

The Duke of *Richmond* said, the noble lord had called upon those who opposed the measures of government to state what they would wish to substitute in their place. No opinion of his upon this point could have much weight with their lordships, and therefore he would quote that of a high legal authority; who, after having argued the question at considerable length, and declared that the granting of emancipation would be the upsetting of the Protestant church, being asked what he proposed to substitute for emancipation, said, "I do not know that I ought to be required to answer such a question. My answer therefore is, that I am not a member of his majesty's government. I am not one of the ministers of the Crown,—I have no connexion with the government,—I am not united to them, otherwise than by the respect I owe to the individuals of which it is composed. It would consequently be idle, and indeed mischievous, for me to pretend to say, what is my opinion as to the measures that ought to be adopted." He concurred in that opinion. He thought it would be extremely improper in any one not holding office to declare his sentiments on the point referred to; and therefore he felt much respect for the Master of the Rolls of 1827, (the present lord chancellor) for having made that statement. The noble lord who spoke last said, that the Catholics had always stepped forward to fight the battles of their country. He was aware that the majority of the Catholic population had taken a patriotic part in the struggles in which this country had been engaged; and though he was not disposed to give Catholics credit for having won every action which had been fought on sea and

land, yet he would admit, that they had conducted themselves most meritoriously. But, did any one believe that the class of individuals who had done all this would gain any thing by the measure now proposed? Were not noble lords about to disfranchise these men, to take away the only rights and privileges which were left them? Did any one believe that these individuals would obtain seats in parliament and in the cabinet? No. Then he would entreat noble lords, who were prepared to disfranchise this large body of individuals, to correct any abuses which might exist, but not to punish the majority for the fault of a portion; and to beware of the principle involved in the question before they consented to limit the elective franchise in Ireland.

The Earl of *Darnley* denied, that the lower classes in Ireland were not interested in the settlement of the question. The great evil which affected them was the want of employment. Until the question was settled, no capital would be expended in Ireland, consequently, there would be no employment for the poor.

The Duke of *Cumberland* then presented a petition against concession from the University of Dublin, signed by one thousand one hundred and nine persons. Amongst those who had signed the petition were the chancellor and vice-chancellor, two archbishops, seven bishops, fifteen doctors of divinity, eighteen doctors of laws, and one hundred and forty-eight masters of arts, including the most distinguished members of the bar and other professions.

Lord *Plunkett* said, he was anxious, that this petition should not be taken as the petition of the University of Dublin. It certainly was competent for any number of persons, being graduates, to address any petition to their lordships, but he could not help regretting, that the petition had been presented to their lordships, because it was not merely the petition of the individuals who signed, but it was within his knowledge, though it might not be in that of most noble lords, that a society had been formed in Dublin, consisting of the graduates of the University of Dublin, for the purpose of making arrangements to defeat that measure which his majesty's ministers would shortly submit to their lordships. It was the more unfortunate that such a society existed, because it had been formed, or if

not formed, it had been countenanced, by those whose duty it was to watch over and preserve the peace and tranquillity of the University. He, therefore, could not help lamenting, that such a society should have been formed out of the materials which the University afforded,—more especially as that society had thought right to adopt one of the most objectionable measures of the Catholic Association,—the collection of a rent. He dared to say that the illustrious duke was not aware of that circumstance; but it was a most unwarrantable proceeding in those who had thus countenanced the society, because it was likely to beget distraction and ill-will.—With respect to the University of Dublin, he begged leave to say, that that University was undoubtedly a Protestant endowment. It was endowed in the time of queen Elizabeth; but, though it was a Protestant endowment, it was a public school, for the education not exclusively of the children of the Protestants, but of the whole people of Ireland. That University had conducted itself with marked prudence and liberality. He had had the honour of knowing that University for upwards of forty years, and during the whole of that period, he had been connected with it. Its conduct had been so marked with liberality, and so distinguished by the absence of all party feeling, as to be considered, by the gentry of Ireland—Roman Catholic as well as Protestant—as an asylum free from that inflammatory spirit, which had unfortunately spread itself over the country. That conduct, he was glad to say, had been productive of the happiest effects in Ireland. The children of the Protestant and Roman Catholic gentry had therein prosecuted their studies; and in learning those liberal arts which were calculated to humanize the mind, and to preclude any ferocious feeling had vied in the attainment of those acquisitions which would render them fit to discharge their duty as citizens, free from odious prejudices. He was sure no person could wish to see such harmony distracted or interrupted; and he therefore regretted that any persons interested in the welfare of the University of Dublin should have lent themselves to the formation of a club or association of the kind alluded to. He did not believe it was necessary for the petitioners, in order to give weight to their sentiments, to have formed themselves into an association of that description; and he

rather believed that there was not a name attached to the present petition, which had not, in some other shape or form, been attached to other petitions. As to the graduates of the university who had signed the petition, as he had not looked over their names, he was not competent to say who they were; but he had no doubt, they were highly respectable; and he believed that most of them were clergymen of the established church. He wished not to detract from their respectability; but he lamented that the present petition had come from any graduates of the University, and more particularly that those who had signed it were chiefly members of the established church. He held in his hand two petitions, which he intended to present that night. One of them came from the undersigned Protestant members of the Irish bar; the other was the petition of the Roman Catholic members of the Irish bar. The first petition was signed by upwards of a hundred, and the petition of the Roman Catholic barristers was signed by upwards of seventy persons. There was scarcely a person who had signed either of those petitions who had not been a graduate of the University of Dublin, and he would take the liberty of saying, that, in his judgment, the sentiments of those laymen, who had the opportunity of examining the state of the country, and whose professional avocations made them peculiarly acquainted with its conditions,—formed a more adequate representation of the opinions of the graduates of the University of Dublin, than the petition presented by the illustrious duke.—Having said thus much, he begged leave to state what the University of Dublin was, with respect to the election of a representative to sit in the House of Commons. The University of Dublin consisted of fellows and scholars. The number of fellows was twenty-six, and of those twenty six, there were not more than seven or eight who entertained any feeling hostile to the measures proposed by his majesty's ministers. As to the seventy scholars, he had not had of late an opportunity of ascertaining what their opinions were, but he had reason to believe, that the great majority were favourable to the measure introduced into the other House of parliament. This he could safely say, that few, if any, would be found to object to the fair consideration of the measures which had come down to parlia-

ment under the sanction of his majesty's recommendation. Without entering into a minute examination of the subject, he would lay before their lordships some grounds to warrant the conclusions to which he had come. His own opinions with respect to the Catholic question had been long known. With the full knowledge of those opinions, the members of that University had done him the honour of returning him as their representative in parliament, on five successive occasions. Certainly, some of the members of the University differed from him on the particular question of the Catholic claims, but he was warranted in saying, that they gave him credit for acting honestly and sincerely on that question, and therefore did not think they would have been justified in refusing to give him their support. The great majority, however, of the electors, did entertain opinions in accordance with his own.—He had said thus much to set the matter in its proper light. Undoubtedly, the illustrious duke did not insinuate that the petition was the petition of the University of Dublin; but the name of that university having been mentioned in connexion with the petition, he wished it to be understood by every person, that the sentiments of the members of the University of Dublin were not hostile to the measure proposed by his majesty's ministers.

The Marquis of *Londonderry*, in rising to present some petitions in favour of the Roman Catholic claims, said, he believed that the Protestants of Ireland were not very liberal, but they now saw the necessity of putting an end to the ill-will which existed in Ireland. He informed their lordships, that he had presented an address to his majesty from the county of Londonderry, in which they expressed a desire that his majesty would recommend to the consideration of Parliament, a measure, for the purpose of uniting together all classes of people in Ireland. The noble marquis said, he could not believe that the Catholic Association was put down when he saw a meeting held at the Thatched-house, and a correspondence kept up with the Catholics of Ireland. He held in his hand a letter written to Ireland, calling upon the forty-shilling freeholders to resist the measure for their disfranchisement. He thought that species of agitation ought not to continue, while the measures relating to Ireland were pending

before parliament, and called upon the noble lords opposite, who went under the denomination of the Whigs, to join him in putting an end to it. He had moved for some returns respecting the number of freeholders in Ireland, which had not yet been presented; but he thought but little diminution would take place in the number of freeholders, if they were only raised to 10%. He therefore gave notice of his intention, when the disfranchisement bill should come up to their lordships, to propose that the elective franchise should be raised to 20%. He thought it was an injustice to touch the elective franchise at all; but, in his opinion, it was better for their lordships to do a great injustice and effect their object, than to do a little injustice and fail in their object. He believed that if the noble lords opposite had introduced a bill for the relief of the Roman Catholics, they could not have devised a more perfect one than that proposed. He hoped and trusted that the measure would pass; but that in passing, the most solid security would be given to the Protestant church.

The Marquis of *Clanricarde* said, he could not let that opportunity pass without stating, that he should feel it his duty to oppose the measure respecting the elective franchise of Ireland, when it should be brought forward.

The Bishop of *Bristol* presented a petition from a parish in the county of Gloucester, against Catholic emancipation. The right rev. prelate expressed a hope should the bill now in progress in another place pass into a law, care would be taken to secure the Protestant church and establishment.

The Marquis of *Lansdowne* agreed, that it was essential to provide for the security of the established church; but that would best be done by the regular discharge of their duties by the resident clergy. This petition came from a district in which the Catholic religion did not only exist, but had been upon the increase; and he was happy to have an opportunity of stating, in the presence of the right rev. prelate, an instance of highly culpable conduct respecting the discharge of clerical duties, which was much more likely to produce injury to the established church, than any measure which could proceed from the legislature. In a part of the county of Dorset, there had been for many years a nunnery, in which there were a number of

Catholic ladies remarkable for their zeal for the religion they professed. The part of Dorsetshire to which he alluded, consisted of two villages, and, during the whole of that time the nunnery existed; though the living was worth 750*l.* a year, there had never been a resident clergyman. The living, to which another living was attached, was that of Spetsbury, of which the rector had resided in London for thirty years, during which time there had not been even a resident curate in the place. Now, if the Catholic religion had increased there; let him not hear it said, that it was owing to the encroaching spirit of that religion, but let it be attributed to the real cause—the want of an efficient discharge of clerical duties on the spot, by a resident clergyman. Where those duties were properly discharged, the church had nothing to apprehend from the Catholics; but when the field was abandoned, any religion—whether Catholic, Methodist, or Presbyterian—must step in and occupy the deserted field. Though he was anxious to see the people of this country attached to the established church, yet he should be sorry to see other religions excluded, for he believed that to the people religious consolation was most dear; and if the established church neglected to administer it, it was well that some other supplied the deficiency.

The Bishop of *Bristol* said, that the greater part of his time had been occupied in promoting the residence of clergymen on their livings in his diocese. He asked the name of the clergyman to whom the noble marquis alluded.

The Marquis of *Lansdowne* did not recollect the name; but he would furnish the right rev. prelate with it. Nothing could be farther from his intention, than to impute to the right rev. prelate the omission of his duties.

The Earl of *Gulford* said, it appeared to him that the noble marquis had made a most unfair and unjust attack upon the clergy in general, founded upon a particular instance of neglect on the part of one of the body [cries of “no, no”]. It certainly appeared to him, that if the noble marquis had not made the charge directly, he had at least insinuated from this single fact, that the clergy were generally negligent of their duties.

The Marquis of *Lansdowne* was surprised at the mistake of the noble earl, since he had most unequivocally disclaimed

any imputation whatever upon the general body of the established clergy. Had he wished to impute any thing against the clergy, he should have done it directly.

The Earl of *Eldon* said, he had pledged himself to abstain from any discussion of the general measure, upon the presentation of petitions; but if what he had pledged was to be pressed against himself, he must insist upon its being equally pressed against others—

“Semper ego auditor tantum; Nunquamne reponam.”

He begged leave to deny what had been stated in publications, that he had asserted the Unitarian ministers to be without congregations. Whether it was to be lamented or not, he would not say; but he believed that they had large congregations, composed very much, he was informed, of a class to which he belonged, namely, briefless barristers. He would now present four petitions from the parishes of St. Nicholas, St. John's, St. Andrews, and All Saints, in the town of Newcastle-upon-Tyne. The petition from St. Nicholas was signed by one thousand and ninety persons, that of St. Andrews by one thousand six hundred and ninety-four, and that of All Saints by three thousand four hundred persons. Two of the petitions were not against concessions, but only prayed for the preservation of Protestant ascendancy.

Earl *Grey* wished to say a few words upon these petitions. He wished, however, to guard himself against the charge of depreciating petitions, and of throwing difficulties in the way of petitioners. He disclaimed both intentions, and looked upon the right of petitioning as one of the most important which was possessed by the people. It was the indefeasible right of the meanest subject in the kingdom. But, without meaning to undervalue this right, he must be allowed to say, that there were some subjects on which the passions of the multitude might be roused by inflammatory appeals to their ancient prejudices, and that much mischief might be effected by such means. If, instead of appealing to the sober reason of the people, inflammatory appeals were made to their ancient prejudices, they would approach the subject on which they petitioned with fear and jealousy; and, in the proportion in which he felt himself bound to respect the sober judgment of the people, in the same

proportion he felt himself bound to disregard the "*civium ardor prava jubentium*." They had seen what the people, excited by designing men, could be brought to do. To events which had been most glorious for the country, to the very Revolution itself, they had been brought to offer opposition—nay, they had seen mobs—wonderful to behold!—raised in favour of passive obedience and non-resistance. He trusted, if means such as these were resorted to, in order to produce effects similar to those which had been excited on former occasions, that there would be found in that House a sufficient degree of firmness to resist them, and to carry into effect, in spite of clamour, those measures which, he was perfectly convinced, would add to the security of the country, and give additional stability to the Protestant Church of this empire. Such was his opinion, however industrious one party might be to send forth to the world their belief, that the measures in contemplation would produce fruits directly the reverse of those which he believed they would bear. He saw, by what had passed in the House that evening, that great apprehensions were entertained as to the result of those measures; and he would only add, that in his mind, they would not only not endanger the constitution, but would secure its permanence. He had been led to make these remarks by the petitions now presented to their lordships. Those petitions came from the four parishes of Newcastle. With respect to the town of Newcastle, he believed there was no disposition in that populous place to stir up this great question, which had been debated in both Houses of parliament during a period of twenty-nine years. During that large space of time both the representatives had constantly voted for Catholic emancipation, and on no occasion had their conduct been censured by their constituents. Different occasions had called them before their constituents to be re-elected, and he had never heard that on the hustings or elsewhere, any question had been put to them with respect to their conduct or feelings on this subject. The electors of Newcastle had, during that long period, pursued the same prudent and moderate course; they did not agitate this question, but wished to leave its decision to the wisdom of the legislature. The town of Newcastle, on this last occasion, did not seem disposed

to meddle with the subject: but the clergy of that town took a different course; and when these measures were announced, the first step taken was by the minister, who applied to the mayor to call a meeting. But the requisition for that purpose not having been supported, the mayor rejected the application. Other means were then had recourse to, in order to get up those petitions which the noble and learned earl had offered to the House. The noble and learned earl stated, that he was instructed to say, that respectable gentlemen attended at their lordships' bar, to show that no improper means had been used in procuring signatures to these petitions. He was certain, as the noble and learned earl had asserted it, that he had received such a statement, and he did not mean to say that any abuses had been practised. It had, however, been stated to him that the petitions had been carried round, and that names had been annexed to them which ought not to have been received. That point, however, he passed over, as of little importance, well knowing how many of these allegations were made on both sides of the question. But there were some other circumstances, connected with these petitions, which were well worthy the attention of their lordships, and more especially of the right reverend bench. The first of these petitions, as was common on these occasions, originated with the vestry of the parish church, where it was proposed to two or three persons well known to be hostile to the Catholic claims. This, he was sorry to say, was not the only part of the proceeding of which he disapproved. Those who wished to procure petitions were not content to exert their ordinary influence to effect the object they had in view, but they caused inflammatory addresses to be disseminated, in which it was declared that the renewal of all the horrors of popery would be produced by the passing of the bill now in progress in the other House. This, however, was not all. Those who were anxious to petition thought, that even with these measures, they would not be able to procure such petitions as they could wish, and therefore they looked out for allies to assist them. He did not know whether the two right rev. prelates opposite would approve of the alliance into which the clergy entered, but they felt it necessary to their purpose to call in the assistance of others. The first petition, which was drawn up by the clergyman, contained

a strong declaration against the Roman Catholic religion, and as strong a declaration of attachment to the government of this country in church and state. Now, if the noble and learned earl would look over the petition, he would see that it did not contain the words expressive of a sincere attachment to the government in church and state; and he would tell the noble and learned earl how that happened. Those individuals who projected the petitions were in want of an alliance to assist them; the alliance which they sought and found was that of the Wesleyan Methodists; and, when the first petition was presented to those persons for their signatures, they objected to the clause which expressed attachment to the government in church and state. In compliance with their objection the petition was withdrawn, and another was prepared, without the obnoxious words. This he thought was a circumstance worthy of their lordships' observation, as it would enable them to judge what sort of course was pursued by those who got up these petitions. It would, no doubt, be stated, that these were petitions in favour of the Protestant church. He thought, however, he had a right to say, that those people who thus objected to the words "church and state," showed a decided hostility to the connection which subsisted between the church and state. This he thought he might fairly say—that these petitions did not breathe that friendly feeling towards the church, which was generally to be found in petitions of a similar description; and he, for one, would wish those individuals who were so anxious to guard against the terrors of Popery—terrors which appeared to haunt them by day and by night—to take care that their zeal did not induce them to let into the camp those whose views were perhaps more dangerous than the views of that body whom they so much dreaded. In consequence of these anti-Catholic petitions, a number of respectable persons signed a requisition for calling a public meeting. That requisition was signed by almost every considerable person in the profession of the law and of medicine, by the principal merchants, and by several magistrates. They thought it necessary that a public meeting should be held, at which this question should be fully discussed. For that purpose, they presented this requisition, numerous and respectably signed, to the mayor. The

mayor acceded to the request, and appointed the guildhall, a building capable of containing nearly 3000 persons, as the place where the matters referred to in the requisition should be discussed. As soon as notice was given of this proceeding, another requisition was got up. It was signed also, he had no doubt, by many respectable individuals; but it did so happen, that it did not contain the name of one eminent lawyer, or of one eminent physician. It was signed by one magistrate, one surgeon, one attorney, and two merchants; but to compensate for that, it was very numerous signed by the Wesleyan Methodists. The requisitionists declared that the hall was not sufficiently large for the intended meeting, and they called on the mayor to select some larger place. In compliance with the requisition, the mayor appointed a place called the Spital as the place of meeting. Now he hoped that in what he was about to say, neither the noble and learned earl nor the two right reverend prelates would suppose that he meant to cast any reflection on the character of the clergy. He harboured no such intention. He was a member of the Church of England, and sincerely attached to the truth of its doctrine, and he wished it to be held in respect and veneration; but to preserve that respect it was not necessary to conceal or overlook conduct adopted by some of its ministers, which was capable of producing a different feeling. He was sorry to say that the conduct of the clergy of Newcastle was not in accordance with the spirit of the church to which they belonged, nor in unison with their character as ministers of peace and good will. As he had before stated, the most inflammatory addresses were disseminated through their means, and they sought allies amongst the Wesleyan Methodists in the neighbouring collieries. They prepared to meet by clamour, that which ought to have been met by the fair weapons of reason and argument. One of the addresses which was published previously to the meeting, ran thus—"The Papists are on the point of gaining the victory! Their leader, Peel, has stated their accursed plan. Papists are to be allowed to fill all offices, except that of Lord Chancellor and Lord Lieutenant of Ireland. When they come into parliament the constitution of 1688 is at an end. The apostate ministers of the Crown have declared in parliament, that they will carry this

measure in spite of the people. Then petition your King—petition George the Fourth. Be not persuaded by pretended friends that it is not necessary to attend the meeting. Attend in thousands, to support your religion and the constitution of 1688." A crowd, in consequence, attended; many of them from the collieries. The right rev. prelate opposite had long lived in the diocese of Durham, and he must well know that many of these poor people were Methodists. The right rev. prelate would admit, that there was no see in the kingdom where, in proportion to its riches and extent, Methodism had made so great a progress. He believed that four-fifths of those miners were enrolled in the congregation of Wesleyan Methodists. With that alliance, the clergy came forward to this meeting, where every attempt to support the liberal petition, by reasoning was overborne by noise and clamour; until at last, after some difficulty, a division took place. That division, he had no hesitation in stating, negatived the petition by a numerical majority of five to four; but their lordships would fall into a great error indeed if they supposed that this decision was indicative of the sentiments which influenced the wealthy, intellectual, and influential inhabitants of Newcastle. Since that, the corporation had met, as had been stated by his noble friend near him; and that corporation, certainly one of the most wealthy and respectable in England, had unanimously decided to petition in favour of the Roman Catholics, and had committed that petition to the hands of the noble duke at the head of the government, on whom they had conferred the freedom of their ancient town. Another petition in favour of the claims of the Catholics, which was signed by those gentlemen whom he had already mentioned as having signed the requisition, as well as by a large proportion of the people of Newcastle, and which was still in the course of receiving signatures, it would become his duty to present in the course of a few days. The noble earl then adverted to the great increase of Methodist chapels, in this particular diocese; and observed, that the clergy, by a dignified performance of their duties, might prevent the accumulation of those sects who were not friendly to the established church. There were, he knew, amongst the clergy in that quarter, men of great learning, worth, and piety; but he believed that there was an accumu-

lation of church property, which did not operate for the useful purposes of religion. Without undervaluing the right of petition itself, he warned their lordships against receiving, as expressive of the real opinion of the people, petitions got up in the manner which he had described.

The Bishop of *Bristol* said, he could not conceive why he and his right rev. friend should be pointedly alluded to by the noble earl, as they had no connexion whatever with these petitions. For his own part, he had not exerted himself, in any degree, to influence individuals, with respect to this question. He was no bigot, and he dreaded neither the Methodists nor the Roman Catholics. Still, however, he had reason to look with something like a feeling of apprehension at the active measures of the Roman Catholics, when some of them had declared that their object was the ruin of the national church; and it was not very unreasonable that the clergy should feel a more than ordinary interest in the subject. He had no solicitude to put himself forward on this occasion. He had come to town in the performance of his duty; and when the noble duke stated his views on the subject, he confessed that he felt much surprised and disappointed. He had no wish to withhold any privilege that could be granted to the Catholics consistently with the safety of the constitution; but he conscientiously believed that it would not be right to admit Roman Catholics into either House of parliament.

Earl *Grey* disclaimed the intention of casting any imputation against the clergy of the established church: but he certainly was of opinion, that the junction of the clergy with the Methodists was not likely to promote the interests of that church, or to uphold its character.

The Bishop of *Bath and Wells* contended, that the people had an undoubted right to petition that House, and he could not help saying, that the manner in which petitions had been treated by the noble lords opposite was not calculated to raise the character of the House in the eyes of the people. Scarcely a petition had been presented from the ministerial side of the House, upon which an attack had not been made. They had been in the habit of saying a great deal for themselves, and he now begged leave to say something for the people of England. Could they, he would ask, do other than feel deeply on a question which involved their religion? With

respect to what had been said about the conduct of clergymen in connecting themselves with petitions, he should merely observe, that he would censure any clergyman who got up a petition in a way not creditable to his character; but he thought that the clergy had a right to come forward in a proper and constitutional manner. With respect to his own clergy, he felt no difficulty in defending them. He was proud to be the bishop of such an exemplary body of men. If a clergyman acted in a manner unworthy of his functions in procuring a petition, he would condemn him; but if he felt strongly and conscientiously on this subject, he should be ashamed of any clergyman who, under such circumstances, would hesitate to come forward in support of the Church of England.

The Earl of *Mountcashel* denied, that the Wesleyan Methodists were Dissenters; and maintained that they were in communion with the Church of England. They agreed with that Church on all doctrinal points; only that they were more religious [a laugh]. He wished the Church of England would copy the Church of Rome in one respect. Whenever the Church of Rome found any separate body of religionists, such as the Franciscans, the Dominicans, &c., distinguished for their zeal and activity, they incorporated them into the Church. The Wesleyan Methodists were a most useful body of persons; and there could be no better soldiers to fight against the pope and his party. This had long been experienced in Ireland. He had been acquainted with their merits in that country, and had only done them justice in making this statement.

Earl *Grey* did not believe he had used the word dissenters in speaking of the Wesleyan Methodists. If he had, it was an error; for he well knew that they professed to be in communion with the Church of England. What he had said was, that he did not think the Church of England would be much strengthened by the union which had taken place on this subject between its ministers and the Wesleyan Methodists. As to the petitions of the people, he had never for a moment attacked them; all that he had attacked was the abuse of the right of petitioning.

The Earl of *Eldon* declared, that he had never imputed to the noble earl any wish to disparage the petitioners who had approached the House on the present occa-

sion. Nothing could be better established than the right of every class in this great community to lay their sentiments before the House. He would not say that there might not have been petitions presented to their lordships which had been most improperly got up; but as to bills and placards, he had it in his power to show printed addresses to the people, emanating not from the Dissenters, nor from the Wesleyan Methodists, but from ministers of the Catholic Church, quite as violent as that which had been read by the noble earl. As far as he was informed, the clergy of Newcastle would not have done their duty if they had not assisted in bringing the petitions before their lordships. He had known the clergy of Newcastle for between fifty and sixty years, and he felt justified in saying, that, during that period no place in his majesty's dominions had been supplied with ministers of the Church more capable of performing their duty, or who had more efficiently performed it. He had always considered it as a misfortune to that great town, that there was but one incumbent, and that all the ministers of the other churches were supported by the munificence of their congregations. Their income was, in consequence, so limited, that he believed there were no men in the country, discharging such important duties, who were so inadequately rewarded. With respect to the country at large, he had had an experience of fifty years in parliament, and he felt sure that this country was never, during the whole of that period, in so agitated a state as at the present moment. He agreed with the noble earl, that if the majority of the petitions were adverse to the measure proposed by his majesty's government, their lordships should weigh and examine them, in order to ascertain what credit belonged to them. Having now presented six hundred petitions, not one of which, with the exception of one which he had presented the other evening for a noble lord, he had not looked at, he might venture to say, that there were many names attached to those petitions of individuals who would do honour to either House of parliament. For example, a fortnight or three weeks ago he presented a petition from a place in Yorkshire, signed, among others, by a gentleman who had since distinguished himself in the other House of parliament as much as any man had ever done under similar circumstances. As to the junction of the Church of Eng-

land with the Wesleyan Methodists, when those by whom parliament were addressed were Protestants, he should like any one to tell him why the Wesleyan Methodists were not Protestants, and had not a right to join in such addresses? For his own part, having had multitudes of provincial papers transmitted to him, containing reports of the debates which had taken place at numerous meetings in the country, for the purpose of petitioning parliament against further concession to the Catholics, he had been astonished to observe the ability and knowledge manifested by the ministers of the Wesleyan Methodists who had taken part in those debates. The petitions were not presented to their lordships as the petitions of members of the Church of England; they were presented as the petitions of Protestants, protesting against the introduction of measures which, in their opinion, were hostile to the Protestant constitution of the realm. If the word "constitution" were objected to, he would substitute for it the words "Protestant establishment in Church and State." In stating, that the petitions which he had that evening presented proceeded from a most respectable body of persons, he had done no more than stated that which he sincerely believed. He agreed with the noble earl, that the signatures to the first requisition to the mayor of Newcastle were highly respectable in number and character. Adverting to the conduct of the clergy, he begged to remind their lordships that the late archbishop of Canterbury had reprimanded a clergyman in the city of London for inviting persons into his church after the service, for the purpose of signing a petition. But, had any noble lords said a single word respecting the conduct of the Catholic clergy of Ireland, who, it was well known, during a late celebrated election in that country, had allowed their churches to be applied to the furtherance of political objects?

HOUSE OF COMMONS.

Thursday, March 19.

ROMAN CATHOLIC CLAIMS—PETITIONS FOR AND AGAINST.] Mr. *Monck* presented a petition from William Hallett, a magistrate of Berkshire, praying that no concession might be granted to the Catholics, unless accompanied by a reform of parliament. The petitioner was apprehensive that if papists were eligible to seats

in that House, they might, by money, obtain an undue influence through the close boroughs; and there was danger that the means might be furnished to them from foreign states. The petitioner, in support of his opinion in this respect, alluded to a report, in which he (Mr. *Monck*) believed there was no foundation; namely, that the Nabob of Arcott had once been able to send two members into that House, by means of the system of close boroughs. The petitioner also prayed, that something might be done for the relief of the poor in Ireland. In this prayer, he most cordially concurred; for he was convinced that unless some means were devised to better the condition of the poor of that country, the measure of emancipation, though it might do some good, would fall very short of removing the evils which affected Ireland.

Sir *R. H. Inglis* said, he had several petitions to present against further concessions to the Roman Catholics. The first was from the ministers, elders, and other members of the established church within the barony parish of Glasgow. It was signed by three thousand nine hundred persons, every one of whom was perfectly competent to form a correct opinion on a plain common-sense question. The next was from the minister, elders, and inhabitants of Govan and Gobals, signed by seven thousand and fifty persons, of as much intelligence as any which could be found with their names to petitions on the other side of the question. The next was from the inhabitants of Bothwell. To this petition he would wish to call the attention of the House. It was agreed to at a public meeting, at which a gentleman, a resident of the next county, but having a house in this parish, attended, and moved a resolution, that it was not necessary to petition at all. This resolution was supported by only one individual. The petition was then carried, and signed by eight hundred and thirty six persons. The next petition was from a parish where, out of a population of five thousand, one thousand nine hundred and seventeen persons signed. Another petition which he had to present was signed by nine hundred out of a population of two thousand, eight hundred; and none of those nine hundred were under sixteen years of age. The sentiments contained in these petitions were those which were now echoed from one end of the kingdom to the other.

There was not, he was sure, within memory or in history, any instance where the expression of public feeling was more unanimous than in the present.

Sir *M. S. Stewart* said, that as some of the petitions which had been presented by his hon. friend the member for the University of Oxford, came from the county which he had the honour of representing, and as he had received some information regarding them, he felt it his duty to ask the permission of the House to lay some of that information very shortly before it. He was quite sure his hon. friend could not be aware of the nature and extent of the religious excitement now going on in that part of Scotland from which these petitions came, and in which excitement he believed the greater number of these petitions originated. It was with reluctance, that he felt it his duty thus to express himself, in respect to the petitions of the people. He begged, however, the House and his hon. friend to judge whether he was justified in what he now said. —The hon. baronet then proceeded to read extracts from several communications from most respectable individuals, residing in the neighbourhood of some of the places from whence the petitions came. One letter stated, that the intention of petitioning against the Roman Catholics was announced by the clergyman of Bothwell to his congregation after divine service. He told them, that they had no alternative but to sign the petition, or to have their throats cut by the bloody papists; that the people would be justified in wading to their knees in blood, in defence of their religion. The Catholics were described to the people as being worse, in the sight of God, than the inhabitants of Sodom and Gomorrah, and that those would be worse even than the Catholics, who should refuse to sign the petitions against them. After reading other extracts describing the means resorted to in other places to produce an impression of hostility to the Catholics, the hon. baronet said, he hoped that the House considered that he was justified in expressing himself as he had done, in regard to the influence wielded by the ministers of religion among the people in the west of Scotland. He wished to speak most strictly and advisedly on this subject. He thought all loose allegations, where the right and character of petitions were concerned, unjust and unwarrantable; and it was with extreme

regret, that he felt himself obliged to state, and he humbly thought to prove, what he had now done, as to the public proceedings in that part of Scotland, where he resided. But he could not help feeling it his bounden duty, when so much stress was laid by many hon. members—and properly laid—upon the number of petitions, and the amount of signatures attached to them, on this great question, and where those petitions were intrusted, as in the present and various other instances, to hon. members of justly high consideration in this House, but who were quite unconnected with the petitioners, he could not help feeling it his duty, as the representative of many of those petitioners, to speak to facts, which local knowledge put him in possession of, and to characterize the petitions in the manner he really believed them to deserve. For he believed the fact to be, notwithstanding what his hon. friend had said, that the number who had really attended to this great question in the west of Scotland and in the city of Glasgow, apart from a feeling of religious fear, was not large; and that the great majority of that number were in favour of concession, in the proportion, as he was credibly informed, of three to one. Among the less well-informed of this population a great proportion was, undoubtedly, hostile to concessions to the Catholics; nor could it be otherwise. They believed, because they were told by their spiritual guides, that it was impossible for a measure to be kind and beneficial to the Catholics, without its being of necessity pernicious and dangerous to the Protestants. And he begged to add, from his own knowledge, that the lower orders in the west of Scotland were very naturally ready to do any thing which, in their opinion, would depress and keep back the Irish Catholics, who poured in upon them almost with every tide, coming to compete with them successfully in all their occupations, and thereby materially lowering the rate of wages throughout that district of the country. When such jealous feelings as these were worked upon by the ministers of religion from their pulpits to their constantly-thronged congregations, the wide and powerful effects could be easily imagined. And hence the great bulk of the signatures to these petitions,—hence, many of the petitions themselves,—hence, in a great degree, the thirty-six thousand signatures to the petition from Glasgow,

presented by the noble marquis the other night,—and hence the five-thousand signatures to the petition from Greenock, presented by the same noble lord. He did not doubt that there were the signatures of many most respectable and intelligent individuals attached to these petitions; but he was confident that the great bulk of them were placed there under the excited and prejudiced feelings which he had ventured, from local knowledge, to describe. In regretting the mistaken and misapplied zeal, as he sincerely believed it to be, of some of the reverend members of the venerable church of Scotland, on this great national and not theological question, he begged to express himself with marked personal respect for them. A more able, excellent, and useful body of men did not exist; but he could not help at the same time lamenting and deprecating the undue advantage that some of them were taking of their stations, in attempting therefrom to arrest and to defeat the wise and benignant intentions of government, by working upon the religious fears and prejudices of the people. He would respectfully ask these reverend alarmists in the north, and he would earnestly ask his hon. friend,—than whom a more sincere friend to his country, or better citizen, did not exist—what would be the national result upon Scotland, upon England, but above all, upon Ireland, if these petitioners succeeded in forcing back the all-but-realized and just expectations of the Catholics, by defeating this great measure, on which the stability of the government and the tranquillity of the empire were now indisputably launched? He thought that, in common fairness, the people—at least the petitioning people—ought to be allowed to judge for themselves, in so far as their spiritual guides were concerned, on this great civil question, and be left to reflect upon the appalling, unanswerable, and admirable statement of the right hon. the Secretary of State, as to the state and condition of Ireland upon this great question. If the people were left to judge for themselves, he was confident that a great proportion of his own calculating fellow-countrymen, at least, would not move at all, but confide in the high integrity and character of the individuals forming the government, controlled by the deliberate wisdom of parliament, to arrange and to settle

this difficult question, the complicated bearings of which many of them could not possibly know; and a still greater proportion of the people, longing for internal quiet, and heartily tired of this long protracted, anti-social struggle among ourselves, would cordially acquiesce in the wise and liberal arrangement of government. He begged, in his own name, and in the name of thousands in the west of Scotland, who had not, and would not, interfere at all, and in the name of hundreds, whose petitions he had to present—thus publicly to offer the fervent expression of their gratitude to his majesty's government, for the truly sanative, beneficent, and just resolution they had come to on this great question; and he begged especially to thank the illustrious duke, the founder of this great measure, and the right hon. the Secretary of State, without whose powerful co-operation and painful personal sacrifices, for the good of his country, this great state blessing could not have been secured.

General Gascoyne said, that his hon. friend had followed the practice, now so common in the House, of objecting to, and resisting the petitions of the people. On the communications of an anonymous correspondent, his hon. friend would reject petitions signed by thousands [cries of "no, no"]. If hon. members set no value upon the number of petitions, upon what would they set a value? He was certain that, if the bill before the House were delayed for a time, the House would have still stronger proofs, if any could be necessary, of the sense of the people of this country being opposed to it. Objections were made to petitions, because a few women and ten or fifteen boys had signed some; but, did hon. members recollect the numbers of women who signed the petitions respecting the late queen? For his own part, he would have no objection to petitions being signed by women, or children, or any thing that had animation.

Sir M. S. Stewart denied that he had any intention of offering opposition to the petitions; but he had felt it his duty to state to the House the very improper means that were used to induce parties to sign them.

Sir J. Wrottesley denied that there was any inclination, on his side of the House, either to stigmatize or to reject the petitions of the people. It was necessary,

however, to consider how their petitions against these claims, which he admitted to be very numerous, were got up. He had no doubt but that there was, in every village, an active, well-educated agent of the anti-Catholics, engaged in beating up for signatures to them. He did not wish to deprive those reverend gentlemen of the influence which belonged to their situation; but he did wish that they would turn that influence to nobler uses, and would become what they ought to be—ministers of peace and christian charity. It was a very sudden conversion which had led these reverend gentlemen to identify themselves with the people. On all former occasions they had acted, not with, but against the people; as, for instance, when the six acts, which really did trench on the privileges secured to the people under the constitution of 1688, were under consideration. Where were they, when the people were demanding the repeal of the property-tax, the leather-tax, the salt-tax, and other taxes, which pressed upon the country? They were enrolled, on all occasions, with the opponents of reduction.

Mr. *Trant* said, that the Catholic priests had addressed the people on political subjects from their pulpits; and he could see no reasons why the Protestant clergy should not use the same means in self-defence, which the Roman Catholic clergy had used in aggression. He was not surprised that the clergy of Scotland, recollecting the persecutions which their religion had endured from the papists—for Charles 2nd was a concealed papist, and surrounded by popish councillors—should be anxious to prevent any chance of their recurrence. If all the pulpits in the country should be filled with appeals from the clergy to their congregations on this subject, he should not be at all surprised.

Lord *Althorp* said, he could not sufficiently condemn the conduct of any clergyman, no matter whether he was Roman Catholic or Protestant, who desecrated his pulpit, by making appeals from it to the people, calculated to irritate and inflame their passions.

Sir *R. H. Inglis* said, he did not consider himself responsible for the general conduct of those who opposed, or of those who supported, the present measures. He conceived that those measures were injurious to the best interests of the country, and he therefore opposed them. With re-

spect to what had fallen from the hon. baronet, from whose constituents he had presented a petition, he knew there was no question except this in which that hon. baronet did not represent the feelings of his constituents; but, as on this they knew that their feelings were not represented, they looked round for those who would represent them, not on local matters, but on the general politics of the country. It was to this alone that he could attribute the honour of having been selected to present the petitions; and he had received petitions from all parts of Scotland to the same effect. With respect to the interference of the clergy, they felt that the question was a religious one, and as such they were bound to interfere, as the natural guardians of their religion. Not merely temporal but spiritual matters were involved in this question; and the interference of the clergy to get up these petitions could not, in his opinion, reflect any discredit on them.

Mr. *Baring* said, he did not consider it to be a waste of time to consider how these petitions, which were signed by thousands and tens of thousands, were signed. He had been informed, that the reverend supporters of the hon. member for the university of Oxford came to a resolution before they parted, after the late election, to "beat the drum ecclesiastic" in every parish in the country. There was a petition now at the bar, which, though it might represent the sentiments of a mass of conscientious persons in London, by no means represented the sentiments of the most intelligent and influential part of the inhabitants. He might apply to it the quotation which his majesty's attorney-general had last night applied to another subject, and say that it

"Like a tall bully lifts its head and lies."

Mr. *C. Pallmer* said, he had abstained from entering into a discussion of the general merits of this question, on the presentation of petitions, in consequence of some forcible remarks on the impropriety of it made by the hon. member who spoke last. The hon. member had blamed gentlemen for commenting largely on petitions as they were presented; but he had just been guilty of commenting on a petition which had not been presented. Which of these two practices was the worst? The hon. member had absolutely said, that a petition which had not yet been presented, lied.—Mr. *C. Pallmer* then said:—"I am

called upon, Sir, to perform the duty of submitting to this House a petition from upwards of one hundred and thirteen thousand householders of London, Westminster, and the places adjacent, upon the subject of the Roman Catholic question. I beg, in the first instance, to assure the House, that it is not my intention to pursue the irregular and inconvenient course of entering into the wide, momentous, but almost exhausted subject to which it relates; but I have felt it only common justice to such a petition to announce its appearance with the respect that is due to it; and I shall feel it an act of justice no less imperious, to claim for it the especial attention of this House. Sir, its language and its prayer shall speak for themselves. [Here the hon. member stated the substance of the petition]. Such is the prayer, Sir, of a petition from one hundred and thirteen thousand householders of that portion of this country which, I think I may say, without disparagement to any other part of it, contains as much property, intelligence, information, constitutional principle, moral worth, and religious feeling, as are to be found in any part of the empire. I believe it will be found to contain the addresses of most of the individuals who have signed it; and I have the assurance of gentlemen whose characters are above all suspicion, that the utmost caution has been used to preserve it from the injuries of injudicious friends, or the acts of insidious enemies. I cannot possibly conceive a more faithful representation of public feeling and opinion. Sir, though I refrain at the present moment from entering into the general question, I hope the time will arrive when I may do this important petition that act of justice. In the mean time, I may be permitted, I think, without departing from my rule, to assert that I cordially concur in the principles upon which this petition is founded; and that in spite of the dogmas and the Rhetoric of those who arrogantly call themselves the intellectual, I feel a conscientious conviction that the measure before the House is a question of the religion of the country—the pure reformed religion—and that this House of Commons has no more right, against the will of the people, to admit papists into the legislature, than they have to reverse the principle and exclude from it the Protestants. Would they dare to do that? Sir, these petitioners approach the

House in language which, though strong, is respectful. Though they do not thunder at your doors with obstreperous menace, or hurl defiance at your authority, it is not because they are ignorant of what is due to them from their representatives, but it is because the religion which they call upon you to protect inculcates, that they owe an undivided allegiance, a spiritual and temporal obedience, to only one power—to that sacred book which teaches them to fear God and honour the king, and respect authorities; and because they cannot believe, that a parliament of faithful representatives can so far betray their trust, as to surrender to the threats of an Association—which his majesty has called ‘dangerous to the public peace, and inconsistent with the spirit of the constitution,’—that constitution and that religion which the prayers of millions of an obedient and loyal people are daily imploring them to preserve. As a member of parliament, I humbly but earnestly entreat his majesty’s ministers and this House to listen to the prayers of the people—to beware how they overlook their legitimate power, how they miscalculate their moral force, to guard against the infatuation of him, who, towering upon the gigantic elephant, mistakes ductility for fear; and whilst he avails himself of the useful energies of his strength, overlooks the tremendous power of his rage. In conclusion, Sir, I beg permission to add, that hoping and believing that in my latest hour I shall look back with indescribable happiness to the humble but hearty part which I have taken in this sacred cause, I shall feel it an incalculable augmentation of that enjoyment to reflect, that it has entitled me, without any other pretension, to the distinguished honour of placing this respectable petition upon the table of the House of Commons.”

Mr. Alderman *Waithman* hoped he might be allowed to trespass on the patience of the House for a few minutes, while he directed the attention of hon. members to a petition more important than any one, or, perhaps, all the petitions that had been presented upon this subject. No individual entertained a higher opinion of the value of the right of petitioning than he, and, probably, no individual among the other sins which he had to answer for, had been concerned in getting up and burthening the records of parliament with a greater number of petitions

than himself. But, according to his view of the right of petitioning, it should be fairly exercised, to convey the sense of the people to the legislature in an unbiassed manner. He was far from finding fault with many of the numerous individuals who had signed the present petition. Doubtless they were very respectable persons; but when he saw a petition got up in the manner in which this had been, and signed by individuals such as the generality of these petitioners undoubtedly were, he thought it afforded an instance of one of the greatest abuses of the right of petitioning that could possibly exist, and called for the examination and animadversion of the House. The hon. member for Surrey had made some pretty bold assertions with respect to this petition; and if the hon. gentleman had spoken, not merely in accordance with the instructions he had received, but from his own knowledge of the facts, he should be disposed to give him credit for what he said. The hon. member had stated, that this was the petition of one hundred and thirteen thousand householders of London, Westminster, and the parts adjacent, against the Roman Catholic claims; that every precaution had been taken to prevent improper persons from signing it: and that of the signatures only four thousand were those of persons residing in the parts adjacent; the remaining one hundred and nine thousand being the names of inhabitants of London and Westminster. Though the hon. member made these representations, it was matter of surprise, that he had totally forgotten to tell them how the petition was got up—whether it had been agreed to at a public meeting—who the parties were that originated it—and how the machinery connected with it had been set in motion. He hoped he should not take up the time of the House unnecessarily, if he supplied the deficiency in the hon. member's statement. He dared to say he should be attacked by the gallant member for Liverpool and others, for a supposed attempt to depreciate the right of petitioning, and for abusing the clergy of the established church. He had already expressed his opinion as to the right of petition, and he would add, that no man could be more attached to the established church than he was. He respected the ministers of the establishment, when they confined themselves to their proper sphere of duties; and, in

London, he was proud to say, the clergy, generally speaking, acted fairly. They had the same right as other men possessed to attend public meetings, but he thought it was departing from their proper sphere of action, and degrading to their character when they concerned themselves in getting up petitions of this description, and procuring signatures in every hole and corner throughout the town, without regard to who were the parties signing, or to the means resorted to, in order to induce them to affix their names to such documents. He had heard a new and extraordinary doctrine broached that night with respect to petitioning. "What if a few children signed petitions," said an hon. member; "they had a right to do so, and women also." Now, he was as ready as any man to admit, that women were very well in their proper place [a laugh]; but he did not think they were in their proper place, when they came forward to petition parliament. If, however, they insisted upon their right to petition, let them come forward in their proper character, and avow themselves, as in all probability they were, ladies of a certain description. The question came to this—were hon. members to be influenced and governed by the discussions and determinations of that House, or were they to yield up their judgments to the representations contained in parchments, signed by women and children, and the most ignorant part of the community? This petition was prepared at a meeting held at the Crown and Anchor Tavern. Some clergymen, he believed, were there; and he was told an individual went to the meeting, who, by a proposition which he made, threw them all into confusion, because the parties did not meet prepared to enter into any discussion, but simply to agree to some preconcerted resolutions, and to adopt a petition founded upon them. In consequence of the interruption occasioned in their proceedings by the prospect of a discussion, the chairman adjourned the meeting, which he had no right to do, without a motion made to that effect and agreed to. The parties who had convened the meeting then went into some other room in the tavern, in which to agree to their resolutions. These individuals had a chairman, and a secretary too; but neither he nor any one else knew any thing about who or what they were. Prospectuses were handed about, and

copies sent through the kingdom, soliciting signatures, though it professed to be the petition of London and Westminster. Here was a petition from a district comprising, according to the late census, a million and a quarter of souls, and they could only muster from all sources one hundred and thirteen thousand signatures in the course of several weeks; whilst he recollected that, in the case of the Corn bill, no less than sixty thousand signatures were obtained at the Mansion-house in a few days. Some of the signatures were from persons at Hull and distant places. The course adopted reminded him of the practice resorted to at Kensington, where all the coachmen, cads, and blackguards that came to sign that petition received, as an inducement, a glass or two of gin. The whole evil arose from the activity of the clergyman of the parish, who, with the assistance of the parish beadle, the clerk, and the grave-digger were the worthy promoters of this system. He should not oppose the reception of this petition, but he trusted the House would not receive it as the sentiments of this enlightened metropolis.

Mr. *Huskisson* said, he had witnessed with great pain the discussions that had taken place with respect to the signatures attached to petitions. He regretted to see the valuable time of the House consumed by one hon. gentleman, who made an assertion, which another hon. gentleman denied. He did not think this mode of proceeding tended to raise the character of the House in the eyes of the people. He made these observations the rather on the present occasion, because it appeared that the worthy alderman had carried the license of debate further than it had ever been exercised before. Parties presented petitions to that House, perhaps under erroneous, but honest and strong feelings, and they were told by the worthy alderman that they came to insult the House—that their petitions were a farrago of nonsense, and themselves fools and idiots. The feelings of the people of this country were greatly excited on the subject under discussion, and it would better become the dignity of parliament, if they received petitions without those discussions which might lead the people to misconceive the feelings of parliament. Were they to tell these people that they laboured under a delusion, and shew no sympathy for the religion of the country,

by deriding the prayers offered up for its safety? Would not such a course be likely to engender a spirit of religious controversy, in which the warmth of attachment on the part of the people, to the religion of the country would bring on a state of things much to be deprecated? Artful endeavours might be made to produce an impression, that parliament was indifferent to the interests of religion.

Lord *Mandeville* defended the right of the subject to petition, without having imputed to them either folly or idiocy for the part they conscientiously espoused.

General *Gascoyne* was surprised to find the hon. alderman had attempted to describe the persons who were at the bottom of these petitions, by confessing that he knew nothing about them. The petition it appeared, had been sent to churches, vestry-rooms, and the principal bankers, for signature. This naturally called forth the ire of the worthy alderman, who said, he knew more about getting signatures to petitions than any man in that House, and was therefore incensed at the folly of these novices, well aware that when he was active in getting up these matters at the period of the late queen's trial, the best places to obtain subscriptions to a petition were the gin-shops and the stews, more particularly if it was desirable to have the signatures of women of a certain description.

Mr. *P. Thompson* protested against the petition being received as a fair representation of the public sentiment in this great metropolis.

Mr. Alderman *Wood* said, that in the borough, and several places in the city, the most disgraceful means of obtaining signatures had been resorted to. He knew of places where the petition to the king lay, in which boys were invited to sign, among other modes, by the following—"Come in, boys, and sign the petition against popery. The king will see your signatures, and you do not know what good fortune may happen to you." He had made inquiries in Cheapside and other streets of the city, and he found that the respectable householders had not signed the petition, and that blank sheets, without any specification of the prayer or object, had been placed in the shops for people to sign, what they could not know they were signing.

Mr. *W. Smith* said, he must also protest against the petition being received, as

that of the householders of London and its vicinity. The most seditious artifices had been employed to obtain signatures to it—artifices worthy of the times of lord George Gordon, and disgraceful to the parties who had recourse to them. If the petition had been the result of a public meeting, he would respect it; but as it was, he must consider it as a gross imposture.

Sir *R. H. Inglis* said, he had reason to believe, that the greatest pains had been taken to have the signatures unobjectionable. Three persons were always in attendance where the signatures were received. The answer made to those who had inquired as to the order of persons who had attached their names to the petition was, that boys and women were allowed on no account to sign it, and that the inhabitant householders had all added their places of residence to their names.

Mr. *Baring* contended, that the petition did not express the sentiments of a large majority of the respectable inhabitants of the places it professed to come from. He would say, that two-thirds of the well-informed people of the country were favourable to its prayer. The petition, according to the hon. member for Surrey, had one hundred thousand signatures, professed to be those of the inhabitant householders of London and its vicinity. Now, a simple fact would prove this assertion to be a barefaced imposition—for the last census shewed, that there were but fifty-eight thousand householders altogether in London and its adjacent neighbourhood. Without alluding to the gross artifices that had been had recourse to, to obtain signatures to the petition, he would proclaim it to be one of the greatest impositions that had ever come before that House.

Mr. *Hobhouse* agreed with the hon. member for Callington, that if all the inhabitant householders of London and its vicinity had signed the petition, the number could not be one half of that stated by the hon. member for Surrey to have signed it. It was, therefore, as his hon. friend had stated, a gross imposition. It was not the petition of the respectable inhabitants of London and Westminster. He had no seat in the cabinet to lose, no long train of connexions to abandon, for the sake of supporting emancipation; but he had a seat in that House to lose, and he was ready to give it up if it was de-

manded from him; although he certainly did not think that his support of the claims of the Catholics would form, with the electors of Westminster, a reason for requiring such a sacrifice. As a test of the opinions of the people of Westminster, for three elections, no mention had been made of the course which they wished their representatives to pursue upon this question.

CANTERBURY REPRESENTATION IN PARLIAMENT.] Lord *Clifton* said, he had a petition to present, upon a subject which he approached under the influence of feelings of extreme difficulty and delicacy, as it related to the hiatus which at present existed in the representation of the city for which he had the honour to be one of the members, in consequence of the continued absence of his right hon. colleague, Mr. S. R. Lushington, from this country. The petitioners stated, that his right hon. colleague was returned at the last general election as one of the members to represent the city of Canterbury, and that they had hoped to experience a full and fair representation, and to enjoy an opportunity of making their opinions known, and causing their voice to be heard, in parliament, when they elected the right hon. gentleman. The petitioners also stated, that on all subjects of great importance, difference of opinion would naturally arise, and that they thought it highly important that the House should be made aware of their opinions upon such subjects through the medium of their representative. They stated, that they were deprived of this advantage, as far as his right hon. colleague was concerned, by his voluntarily absenting himself, in order to take upon him the government of Madras. They acknowledged the attention with which their former petition on this subject had been received by the House, and expressed themselves anxious to enjoy the full benefit of the representation to which they were entitled at the present moment, when subjects of such unusual importance were in agitation.

Mr. *Baring* said, that towards the end of last session, he had given notice of his intention to bring in a bill making the acceptance of any government such as that in question, by a member of parliament, a relinquishment of his seat, and authorising the House, under such cir-

cumstances, to proceed to a new election. He had been prevented from taking the sense of the House upon the subject; which, however, he should undoubtedly do at the earliest moment.

Sir *E. Knatchbull* said, he happened to know that Mr. Lushington would have resigned his seat before he left England, if the request to do so had not been conveyed in an offensive manner. He begged to know whether the measure which the hon. member intended to introduce was to be prospective or *ex post facto*.

Mr. *Wynn* said, it was obvious that this was a case in which the House could not grant relief, except by means of a legislative measure.

Mr. *P. Thompson* hoped, that a bill would be brought in to prevent the occurrence of similar abuses. He also hoped that the case of the petitioners would be taken into consideration; and, however ungracious an act of a retrospective nature might appear, that the proposed bill would be extended to it.

Mr. *Baring* said, he did not mean to touch the present case, in the bill which he should introduce.

IRISH QUALIFICATION OF FREEHOLDERS BILL.] Mr. Secretary Peel having moved the order of the day for the second reading of this bill,

Lord *Duncannon* said, he would take advantage of that occasion to express his regret that the present bill had been proposed without some inquiry into its actual necessity, or into its real nature. Without intentional disrespect, he must say, that neither the right hon. Secretary, nor the hon. and learned gentleman, who was understood to have drawn up the bill, could have thoroughly understood its real tendency. If they did, he was sure they would have paused before they brought it forward. He did not wish to raise any objections to a bill that was so recommended as that was; and would be willing to overlook minor objections, in order to preclude the throwing any obstacle in the way of the great measure of which the present was but a collateral appendix. But he would say, that but for the constitutional exercise of their franchise by the forty-shilling freeholders of Louth, Waterford, and Clare, the present bill would never have been heard of. It was absurd to allege, as a pretext for it, the conduct and influence of the Catholic

priesthood; for all who knew how that influence was exercised knew, first, that it was felt chiefly when it ran with the current of popular feeling, and that it was ever exercised with a view to obtain a peaceable submission to the laws. Neither could it be said, that the tendency of the bill would be to improve the condition of the holders of small farms; for the tenure of farms in Ireland, be they small or large, was different from that asserted by the hon. member; and from that, as it would appear, contemplated by the present bill. He did not see what objection could be justly made to the exercise of a *bona fide* forty-shilling franchise in Ireland. If it could be procured in Ireland, he was of opinion that such a system would work well. They could as easily regulate the forty-shilling franchise, so as to render it a *bona fide* one, as they could the 10*l.* freeholds, which were now proposed to be substituted for it. They knew little of Ireland who imagined that the mere raising of the registry to 10*l.* would do away with fraudulent and fictitious votes. He would be disposed to suggest measures for the prevention of the registry of such votes, and such, he conceived, as would do away with any evils that could arise from the existence of the forty-shilling freehold system. An hon. friend of his who had presented a petition yesterday on this subject, had complained of the manner in which these registries were made; but his hon. friend appeared not to know the real facts connected with the registry of the forty-shilling freeholders in Ireland. That hon. member, and other honourable gentlemen, seemed to speak of the forty-shilling freeholders as if they were all fraudulent and corrupt voters. Perhaps his hon. friend did not mean to go so far, but certainly other honourable members appeared to labour under such an impression. Now, those who knew Ireland better than those honourable gentlemen, must be aware, that every forty-shilling freeholder there was not the person so described by those honourable members. Indeed, the opinion of their universal corruption seemed to exist in the mind of the right hon. Secretary himself, who had unintentionally misled the House on that point, by stating to them a case, as illustrative of the general existence of fraudulent and fictitious votes in the freehold system in Ireland. The right hon. gentleman had alluded to a county in

Ireland, in which there were twenty-six thousand forty-shilling freeholders, and of these he stated that nineteen thousand could not write their names. Now, it so happened, that these freeholders lived in a mountainous part of the country. They were, generally speaking, comfortable and respectable farmers, who were of a certain age, which placed their youth at a period when it was more difficult than at present to procure the advantages of education. These freeholders, therefore, could not write their names, and were obliged to substitute their mark; at the same time, most of the families of those freeholders could write, and had received a certain degree of education. He had, on a former night, expressed his determination to divide the House upon the second reading of this bill, but he had since abandoned that intention. If the bill were somewhat altered, he thought it might effect a great deal of good; particularly if it were applied to the correction of the registry of fraudulent and fictitious forty-shilling freeholders. He was therefore determined, in a future stage of the bill, to move an instruction to the committee to this effect—"That it be an instruction to the committee on this bill, that they have power to render it applicable to a due exercise of the elective franchise by forty-shilling freeholders, by preventing a fraudulent and fictitious registry; and to preserve to the people of Ireland their right of voting for representatives in parliament as at present by law established." His desire was, to secure still to those persons who really possessed a *bona fide* forty-shilling freehold, the right of voting. This act would effect a great deal of good if it were applied to such a purpose as that. He had no wish to protect fraudulent voters; but by the application of the machinery of this bill he would do away with such voters, and render the whole registry throughout Ireland perfectly pure. He was bound to express his belief, that so many objections would not be raised against this bill in Ireland, as some gentlemen expected. But, when the enthusiasm which pervaded Ireland at the prospect of the passing of the great measure which accompanied this bill had subsided, he conceived that those who would be now disfranchised would have a right to say to their representatives, that they had neglected their duty. This bill would not excite much opposition in Ireland now,

because it formed a portion of the great measure which the right hon. gentleman had introduced—a measure which far surpassed his most sanguine expectations, and the most ardent hopes of his fellow-countrymen. As to the present bill, he would repeat his opinion, that it would work well, if its machinery were applied to the prevention of the fraudulent registry of fictitious votes under the existing system, but he could not avoid expressing his condemnation of a measure which went to deprive the present forty-shilling freeholders of their franchise.

The Hon. G. A. Ellis said, he was anxious to explain, in as few words as possible, the reasons that would influence his vote upon the present occasion; and he was the more anxious to do so, because, differing as he did diametrically from the view taken of the Disfranchisement bill by his noble friend who had just sat down, he also differed, he believed, from many of the hon. gentlemen who intended to support the measure. Undoubtedly, had the advice of so humble an individual as himself been asked upon the subject, he should have been most anxious to prevent the great measure of Catholic emancipation from being incumbered with the bill for the disfranchisement of the forty-shilling freeholders in Ireland;—but this was not at present the question to be discussed—the measure was actually before the House, and was to be dealt with accordingly. He had been always, since he had had a seat in that House, a parliamentary reformer. He had voted not only for particular, but also for general motions on reform; and he hoped to do so again. But he had always done so under the impression, that such reform would be beneficial to those for whom it was intended, and for the country. It had never entered into his contemplation either to give or to preserve a franchise which was decidedly injurious to those who possessed it. And such he must ever consider the operation of the forty-shilling franchise in Ireland. It had tended, in his opinion, more than anything else, to the excessive increase of population; to the splitting and dividing of the estates into small, wretched tenements; and the consequent increase of misery and pauperism. It had equally injured the estates of the proprietors, and the condition of the peasantry. Upon these grounds he should cordially support the

second reading of the bill now before the House. In 1825, he had voted for the suppression of this franchise, but he was not going to take credit to himself for his consistency, if he did so again. He was well aware the case was materially altered since that time—but was it not altered for the worse? Up to that period the forty-shilling freeholders were slaves in the hands of their landlords, undoubtedly a most degraded condition. They had since, in some instances, and during moments of great popular excitement, been compelled to vote against their landlords through the power of the priests. The consequence of this had been a total dissolution of the social bond which ought to exist between landlord and tenant, to the great injury of both parties, and in short a state of things which could not exist in any well-ordered community.—He was willing to allow, that this state of things had tended greatly to advance the measure of Catholic emancipation; and without the concession of that emancipation, he, for one, would never have consented to the taking away of the franchise. But a new era was now arrived, and, through the wisdom of his majesty's ministers, concession was now about to be granted. Under these circumstances, he should be, he owned, very glad to see the forty-shilling franchise done away with; which, while it existed, must prevent Ireland from being either a happy, a prosperous, or even a tranquil country.

Mr. Brownlow said, he should occupy the attention of the House but for a short time, while he stated his opinions respecting the bill under their consideration. He had felt it his duty, upon other occasions, to act so as to obtain some degree of popularity in Ireland upon just and legitimate grounds; but now, even at the risk of the little popularity which he might possess in Ireland, he was ready to give this measure his support. He did not support the bill on its own merits, but on account of the measure by which it was accompanied. He would at once therefore say, that he would support the second reading of this bill, not intending by so doing to pledge himself to the ten-pound qualification, as the best remedy that could be proposed for the correction of the evils of the elective franchise system in Ireland, but because it was accompanied by a measure which was so eminently calculated

to restore peace and tranquillity in Ireland. He supported the second reading of this bill, not because he altogether approved of its principles or provisions, but because, if he understood rightly the position in which they were placed, it was this—the right hon. Secretary came down to the House with the bill of emancipation in one hand, and this disfranchising bill in the other, and, as well as he could collect the meaning of what had fallen from the right hon. gentleman, if they wanted the measure of emancipation, it was in vain for them to deal deliberately or cautiously with this bill of disfranchisement. He voted for this bill, then, as the price of the great measure of emancipation. He had many objections to this bill: it was revolting in many respects to his feelings; but nevertheless he would sacrifice his feelings, if, upon such terms, he could purchase emancipation. It was said, that they might refuse to take emancipation on such terms, and defer it for another twelve months; but he was not for incurring the risk attendant on such delay: the dangers which now pressed upon them might be then increased tenfold, and England and Ireland might, perhaps, be rent in twain. He was therefore disposed to adopt this measure, bad as it was, and to do evil, if it could be called an evil, that good might abound. He was persuaded that good would follow from this measure. It would certainly prevent the splitting of farms; which was one of the great evils of Ireland. If the right of voting in Ireland were now for the first time under consideration, he should be inclined to say, that this measure was a just, fair, and advantageous one. It was calculated to correct many evils; and no doubt, in the long run, it would work well for Ireland. But, when he looked at the events of the last few years, he could not avoid expressing his repugnance to such a measure. He was ready to avow his admiration of the conduct of those gallant, intrepid, honest, and high-minded voters, who had in several counties in Ireland, within the last few years, displayed such patriotism and independence. He would, therefore, confess that to this measure, with all its anticipated advantages superadded to it, he should not be prepared to give his consent, unless he received immediately with it, and had as it were at the moment in his hands, the great pearl of emanci-

pation. Petitions had been presented to that House, praying an alteration in the elective franchise, upon grounds from which he altogether dissented. Those petitions prayed the House for measures to take the voters out of the hands of the priests, for the purpose of placing them (certainly not in better hands) under the influence of their landlords. That was a very wrong view to take of the elective franchise. If the tenant did his duty to his landlord—if he paid his rent and tilled his land, and discharged all the obligations contained in his lease,—he had done his duty, and his landlord had no right to expect any thing further from him. He knew of no claim more cruel or more indefensible, than that of the landlord to the vote of his tenant. He did not support this measure with a view to take the voters out of the hands of the priests and to place them again in the hands of their landlords. He trusted it would have a different effect. He dissented from the observation of the hon. member who had just resumed his seat, that this measure would be good, in so far as it would go to take the voters out of the hands and influence of the Catholic priests. The freeholders of Ireland had not been led by their priests; they had acted under the influence of a far greater power than that of priestly influence or domination—they had been influenced by that desire for freedom which pervaded the entire mind of the Irish nation. At the elections, the freeholders were asked, whether they would vote for the man who swore that their religion was superstitious and idolatrous, or for the man who would pledge himself to do his utmost to have that odious test repealed? The effect of such an appeal might be easily imagined. The charge as to priestly influence was unfounded; but it had not been made now for the first time. In the counties of Waterford, Louth, Westmeath, and Clare, the same charge had been preferred; but the parties shrunk from the proof, or contented themselves with producing the lamest and most inconclusive evidence to the House on that point. The freeholders had not yielded to priestly influence; but they had been acted upon by that general and extraordinary combination, which existed in Ireland, of the Catholic aristocracy, the gentry, the clergy, the landed proprietors, and the mercantile men—a combination which extended to all ranks

and classes, and which, from the peer to the peasant, produced its effects amongst the Catholic community. With that combination the priests were not connected, save as citizens; and it was therefore an unfounded charge to advance, that the Irish freeholders were a priest-ridden people. He was anxious to have an independent race of voters in Ireland, whom the landlords could not influence and direct as they pleased. They were not to judge of the conduct of the freeholders for the future, from that which they had displayed during the excitation of the last few years. They were not to judge of them by their conduct from 1793 up to 1825. He agreed with his noble friend, that it would be a wise course to apply the machinery of this bill to correct the evils of the existing freehold system in Ireland. From the year 1793 to 1825, the freeholders were not free agents. They were driven by their landlords to the county town, and locked up there until they gave their votes for their landlord's favourite candidate. That, without this bill, such things would again recur, when the excitement of the present moment had passed away, might be reasonably expected. About fifty years ago, in the north of Ireland, an excitement of a somewhat similar character arose. The Protestants and Dissenters of Antrim were at that time as much divided as the Catholics and Protestants of Ireland are—(he should rather say were, for those differences, he was delighted to say, were already fast disappearing, in consequence of the healing measure introduced by his majesty's ministers)—an election came on in Antrim; the established church and the Presbytery of Antrim were committed against each other. A Mr. Wilson, who possessed no property in the county, but who was prominent in advocating their cause, was the candidate of the Presbyterians: every exertion was made for him; the clergy preached in his favour from their altars; they influenced the educated, they intimidated the ignorant amongst the voters; and the result was, that the aristocracy were defeated, and Mr. Wilson returned. People argued from this, that the independent spirit exhibited in Antrim would extend throughout the country, and that the freeholders would from thence forward do their duty. But, in a short time, the aristocracy regained their influence,

the effects of this election were forgotten; and the spirit of independence which the enthusiasm of the moment excited, disappeared. Such, he believed, was but a picture of what would be likely to take place in Ireland, after the passing of emancipation. He mentioned this to prove that the present elective franchise was not one that could be approved of and upheld, upon sound and permanent principles. He had supported a similar measure in 1824, and that on the same principle; and, chiefly in consideration of the valuable boon that was to accompany it, he would not take upon himself the responsibility of opposing the present bill.

The Earl of *Bective* said, he could not refrain from congratulating the House and the country upon the happy effects which were sure to follow from the great measure of concession which had been so wisely introduced by his majesty's ministers. That measure was pregnant with innumerable advantages to the people and to the state. It would dissipate the spirit of party, do away with the feelings of hostility which prevailed between man and man, and establish harmony, peace, and happiness, throughout the country. It would at length establish a real union between England and Ireland; which had hitherto been united but in name. It was a measure which would put an end to religious and political differences, and consolidate the power and resources of the empire. He hailed with delight the introduction of such a healing measure; and he would not cavil with the measure by which it was accompanied lest he should endanger the passing of the great measure itself.

Mr. *Littleton* said, he gave the noble lord who spoke first great credit for the fairness of his conduct, and was willing to defer to him, as one of those who were the best informed on Irish affairs. He however, considered the present measure as calculated to afford a substantial benefit to Ireland, and that it was free from the objections which had been raised against other measures of security. It made no invidious distinctions; it applied generally and equally to Protestants and Catholics. He concurred with the hon. gentleman in thinking that the effect of such a general law would be to prevent family jealousies and to obviate the conflict of political interests, managed by large standing armies of freeholders enlisted out of the tenancies. There was a large part of the

aristocracy of Ireland desirous to give up this power, and a large part of the tenantry were indifferent on the question. The act of 1793, though the measure was considered an act of justice, gave to the Catholics of Ireland a very considerable superiority, and its effect had been completely to destroy the influence of property. The speech of sir Laurence Parsons, now lord Rosse, in the Irish House of Commons, on that occasion, contained an able exposition of the consequences of that measure; and the right hon. the President of the Board of Trade, who had himself suffered from its effects, could not give a more accurate statement of them than was contained in that prophetic speech of sir Laurence Parsons. He (Mr. Littleton) had been led by the arguments in that speech to introduce in 1825 a bill for the regulation of the elective franchise in Ireland, which had failed. The only difference between this bill and the present was, that the former was prospective. That bill was designed to be auxiliary and concomitant to a measure of doubtful efficacy. This bill was auxiliary too, and concomitant with a measure which would effect a great and lasting good. It was a gratification to him to witness the completion of an object which had become more and more necessary, owing to the increase in the numbers and the wealth of the Catholics since 1793. He gave his hearty concurrence to the bill, which, in his estimation, imparted a great value to the other measure. He called upon hon. members to consider the advice which had been given by the hon. member for Winchelsea, that nothing might obstruct the great measure which was intended for the relief of Ireland,—a measure which they could not do wrong in purchasing at any price. The golden opportunity ought not to be lost. The measure of relief was the great object which ought to be secured; the evils of disfranchisement might at any time be corrected.

Mr. *Villiers Stuart* said, he should approve of the instructions of the Committee to be moved by his noble friend; but if the measure itself was deemed necessary for carrying the great question of Catholic concession, he would certainly support it. It might be that, in doing so, he risked whatever little popularity he might flatter himself he possessed in the county of Waterford; but though he might lose that popularity, and even sacrifice the seat which he had the honour to hold in

that House, he was, nevertheless, forced by a sense of duty to do nothing that might endanger the safety of the great measure of relief to his Catholic countrymen. He could never forget that he was sent by the great mass of the constituency of Waterford to fight the battle of civil and religious liberty, and he should feel that he was a traitor to his trust, if he did anything that might endanger the winning of the great fight. But let him not be thought to support this measure otherwise than as an accessory to emancipation. He could not conceal from the House his regret at its being thought necessary to have the present measure as an accompaniment to the other; for, if men ever vindicated their fitness to vote at elections, it was the forty-shilling freeholders at the late election for Clare. They had been told, that they were slaves to their landlords; they had been taunted with their subserviency; they had been reviled for their helotism; but how, on the first opportunity given them, had they answered these charges? Threats could not awe, promises could not sway them, to prostitute their suffrages, in support of principles which they knew to be inimical to their interests and subversive of their liberties. They had acted in this in conjunction with their priests, and not in subservience to them. How, then, could he be otherwise than reluctant to punish as a crime in practice that which he had been taught to look upon as a virtue in theory? He considered the fear to be vain, that if this measure were not passed the freeholders would continue to vote with their priests. There would be no difference between the landlord and tenant, when there ceased to be a distinction between Catholic and Protestant. The penal code had acted as a chymical test in the separation of landlord and tenant—elements, without the application of that test, indissolubly united. After the great triumph the forty-shilling freeholders had just achieved, he was reluctant to mingle cypress with their laurels, and to cut short the thread of their existence in the hour in which their political life began. He should have thought himself guilty of the blackest ingratitude had he not vindicated the character of so large a portion of his constituents, and done every thing for the maintenance of their privileges, short of the absolute rejection of this bill. If the measure of emancipation had passed he

would not consent to this bill; but as one could not pass without the other, he asked himself, whether his constituents would not be more benefitted by the discontinuance of the disabilities under which they at present laboured without having the franchise, than they would be by a continuance of both.

Mr. *Huskisson* said, he felt as strongly as any hon. member the incalculable importance of the measure which had been carried at three o'clock that morning by a decisive majority of that House. It had been stated to the House, in a manner which could not be misunderstood, that that measure was indissolubly bound up with the present—that the fate of the one would decide the fate of the other. This it was which increased the embarrassment under which he laboured in delivering his sentiments, which arose from his disapprobation of the principle of the bill which disposed of an elective franchise. He at the same time protested against the doctrine—and it was an unparliamentary way of discussing any measure—that that House was not at liberty to make an alteration in the elective franchise. He could not discuss the measure with reference to the present state of property in Ireland, as he was not acquainted with it. He should discuss it on the principle of right. If Ireland was a new country—if she had never enjoyed this right at all, and the question related to the establishment of the elective franchise—then he should not object to the limitation proposed to be introduced: 10*l.* would be a very good limitation if the House was legislating for a new country. But it was said, you must look at the state of Ireland as connected with this proposition. Now, they were not at liberty to look at the question in that point of view. It must be well known to every member, that it was a point of the case, that the elective franchise of counties in Ireland were the same as those in England; that whereas forty-shilling freeholders in England had obtained their privileges about four hundred years ago, they had been extended to Ireland a century later. When he said this, he meant to say, that a franchise so annexed and united, for a period of three hundred years, to a freehold, was a property vested in the freeholder, to take away which was only one degree less a violation of right than taking the property itself. Why did he state this? Was

there any ground of law for this theory? Yes; a very high authority. Lord Chief Justice Holt, in speaking of the freehold rights of the people of England, said, "a freehold right is one which, if any person is in the slightest degree molested in the exercise thereof, he may defend by action;" and further, "a freehold right is a most transcendent thing; it is vested in and inseparable from the freehold: if it be separated, then the freehold is taken away." Then Magna Charta itself contained a provision, that "no freeman shall be disseized of his freehold, or the liberties thereof, but by the judgment of his peers, or by the law of the land." Therefore, these freehold rights and immunities were most sacred, protected by the law of the country, and by the sanctity of three hundred years.—He was told, that this privilege had been more abused in Ireland than in this country. That might be: but, he would ask, "is it not your duty to endeavour to correct the abuse, instead of taking away the property itself?" Was this the mode of proceeding which would be tolerated in this country? Was there no instance of such abuses in England? Honourable members might recollect the election in Middlesex some twenty years ago, and the scenes which had then taken place, when a mill at Brentford had been split into several hundred votes. Who had ever thought at that time of meddling with the elective franchise of the people of England? Let gentlemen call to mind the elections for Westminster, forty or fifty years ago; and the perjuries, and corruptions, and bribery, and breaches of the peace; yet who ever thought of interfering with the elective franchise of the people of Westminster? He would ask English members, whether, if any case occurred of an abuse in elections, they would not proceed to correct that abuse; or whether they would proceed to deprive the people generally of rights which were inseparable from their freeholds?—It had been objected, that the votes in Ireland were not derived from property in fee; and how many tenants were there in England whose property was not in fee? In the place which he had the honour to represent, many of the electors held only a life-interest in their property; and in many places—Sussex, for example—votes were created by the purchase of forty-shillings a year of land-tax; which was not purchased for the profitable employ-

ment of capital, but solely with a view of obtaining the elective franchise. He could not make up his mind to dispossess persons of their property, especially when the abuse—which was to be considered the ground of the measure—existed elsewhere. Vested rights of another description were regarded: there was scarcely a professional adviser of the revenue board, who did not consider his emoluments as vested right. No man lamented more than he did the scene of perjury which was presented at elections, and he fully agreed that it ought to be remedied. But, when hon. members talked of perjury in Ireland, why had they not some feeling for the perjuries committed in corporations? The forty-shilling freeholders of Ireland might be entitled to a lenient consideration. Some of these individuals might not understand the true construction of the law. They might suppose, that if they were unwilling to part with their freeholds for forty-shillings, they were therefore worth so much in the eye of the law; whereas, in corporations and borough elections in England, a man would swear that he had not received a bribe, whilst he knew that it was promised, if not received, and that it would be regularly paid when the period of danger had expired. On these grounds he had differed from the hon. gentleman who had brought in the bill of 1825, which was prospective. He had voted for that bill on its first introduction, but not afterwards. By the present bill, which was not prospective merely, all the proprietors of freeholds between forty-shillings and 10*l.*, who had hitherto exercised the right of voting, were disfranchised, and thereby sustained an injustice only a degree short of the loss of their freehold.—The right hon. gentleman then referred to a custom, about this period of the year, of taking the skin from a dead lamb and placing it upon a live one; and observed, that the right hon. Secretary seemed to have committed the mistake of putting the skin of a lamb, not upon a sheep, but upon a wolf. Another argument in favour of the bill was, of all other arguments, the least to be commended. It was said, that the people of Ireland were indifferent about this right—that the measure was not unpopular in that country. But, was it becoming in any government to take advantage of a season of enthusiasm, of an ebullition of gratitude, and to accept the

surrender of an institution connected with popular rights? Such an argument was open to great objection; for if this House might so deal with the rights of electors, there was no knowing where it would end. He was an enemy to parliamentary reform—an object which, since the introduction of this measure, had become more than ever a topic of conversation. He had heard it asserted, that this bill was a measure of parliamentary reform, but that it began at the wrong end. He was hostile to all such reform, let the suggestion come from what quarter it might—whether it referred to England, Ireland, or Scotland. He should give such a project his decided opposition; and, admitting as he did, from a sincere conviction, that the Catholic bill would strengthen the Protestant interests, he was of opinion, on the other hand, that parliamentary reform would not only destroy the Protestant church, but every other establishment. If the measure before the House solely inflicted inconvenience, or even if it inflicted hardship and injury, provided it fell short of actual injustice and the violation of legal rights, the confidence he placed in the government, who were taking steps to pacify Ireland, would have prevented him from offering any opposition to the bill. But he could not compromise the rights of the people, and consent to a violation of property. If he had happened to be a member of his majesty's government, he might have seen reason to be satisfied of the indispensable necessity of such an arrangement. The course which he thought he should then have adopted was this—he should have endeavoured to prevail on those who were anxious for the measure to make it prospective; it would have been only in the case of their satisfying him of the absolute necessity of this measure to secure the success of the other, that he should have consented to it in its present state. He should not have yielded until the inseparable connexion between the two measures had been demonstrated to him. He had lived too long in public, and mixed too much in its affairs, not to know, that in such a complicated state of things, there may have existed some overruling necessity, to which ministers were forced to yield. Having, therefore, no means of knowing whether this necessity existed, and, on the other hand, being most anxious to do nothing which might, by possibility, seem to evince a desire to

delay or impede the other great measure, he felt it proper, under his great difficulty, to abstain from voting at all. His resolution, he hoped, would have no effect upon others. He had not suggested this course to others, and did not wish others to adopt it; but, with reference to the injustice of the measure, and to the precedent it established, he was not disposed to do otherwise.

Mr. *Doherty* said, he should not have addressed the House, but for the extraordinary speech which had just fallen from his right hon. friend. He had never heard a speech which had astonished him more. His memory as to the discussions which took place in that House was not always accurate; and, during at least three-quarters of that speech, he had thought he laboured under a great misapprehension. He thought that, in 1825, when the hon. member for Stafford brought forward the question of the disfranchisement of the forty-shilling freeholders, that that question had received the support of his right hon. friend. But he had been relieved from all doubt upon the subject, when the right hon. gentleman thought it prudent to anticipate the objections which might be made on this score, by stating, in the latter part of his speech, that he had voted on the first introduction. Then that which was a lamb in 1825, had become a wolf in 1829 [hear]. For his own part, he gave his entire sanction to the present measure. He had listened with admiration to the speech of the hon. member for Waterford (Mr. V. Stuart), which demanded his unqualified approbation; for he knew the sacrifice he was making: he knew that it was by the forty-shilling freeholders he had been supported. That hon. member had, therefore, made a great sacrifice. But the justification of that hon. member would be found in the approbation of the Catholics themselves; who would, by this sacrifice, purchase a much more valuable boon. But his right hon. friend stood on different ground. He knew nothing of Ireland, he said, or of the forty-shilling freeholder; but having voted in favour of this measure in 1825, why, he would ask, did he support it then, if he believed that it was an act of gross injustice? If there was a violation of just principles now, there must have been then. But he would relieve his right hon. friend: he would convince him that he need not repent of having voted as he had done;

that no natural or legal right was violated, and that his right hon. friend might give his vote now, if squeamishness and no other ground withheld him. The right hon. gentleman was deeply read in the constitution of the country; he spoke of vested rights, and of the inability of parliament to deal with this matter; and he had read the dictum of chief justice Holt as to the rights of freehold; and he had expatiated upon the sanctity of four hundred years. Now, in the reign of Henry the 6th the right to interfere with the elective franchise was recognized. Before that time, and up to the year 1429, every person had a right to present himself at the sheriff's court and vote for the election of members of parliament, but after that, the votes were limited to the forty-shilling freeholders. But, did the interference stop here? Was not the elective franchise, both of England and Ireland, interfered with in the reign of Henry 8th? Again, was there not a proposed interference with it, with a view to raising the qualification, within the last three or four years? His right hon. friend had asked, was it not monstrous that there should be one scale of qualification for England and another for Ireland? He would, in turn, ask, whether the situation of the elected was not of more importance than that of the elector? And if so, whether the scale of qualification for the former might not, by the same reasoning, be the same all over the United Kingdom? But in the reign of queen Anne, in 1711, the qualification in point of property was limited. The qualification for representing boroughs was not then extended to Scotland, because it was thought that it would not be, at that time, so easy to find qualified persons in that country. There was even now one scale of qualification for representatives in England, and another in Ireland. He thought, therefore, he should convince his right hon. friend, that the proposed measure interfered with no vested right belonging to the forty-shilling freeholders. In 1825, a right hon. friend of his, for whom the right hon. gentleman had a great respect, had, he knew, given his sanction to that measure, though he had not given it his vote; and he was sure the right hon. gentleman would have no regret to follow the example of his right hon. friend. He could not wish by his language, to throw any doubts on a measure, which was said to be necessary

to that great measure which he had already supported. That other measure, it had been stated, could not be carried, if this were abandoned. He would not at that time declaim on the merits of that other measure; he would not, when so many gentlemen had done it so ably, depict the blessings which he believed would flow from it: he would only appeal to those who had been, as he had, long struggling for that measure, who looked on concession as the greatest blessing which could be conferred on Ireland; he would only appeal to them to consider what would be the consequences, should the measure of concession not now be carried, and the result of that night's deliberation be to disappoint the hopes of the people of Ireland. He implored his right hon. friend, therefore, not to withhold from the measure then before the House the benefit, not of his vote—for that, he believed, they were not to have—but the more influential benefit of his example. His name carried with it—and deservedly carried with it—great weight in the country; and in Ireland, if the measure wanted his approbation, it would justify the people in believing, that it would not be attended with all the advantages they might otherwise expect from it.

Mr. *Huskisson* denied, that he opposed this bill from any principle of an equality of elective rights. He was too much opposed to what was called reform in parliament to adopt any such principle. He would now say, so anxious was he for the success of the great measure, that he would willingly give his support to this bill, if it were made prospective.

Sir *T. Gooch* said, he had heard from the hon. member for Armagh, that the influence of the priests was much overrated: he had heard from other members who knew Ireland better than he did, that the influence of the landholder was overrated; but, if the influence of the landed gentlemen was not too much, and if the influence ascribed to the priests was a mere mockery, this measure was a gross act of injustice. It was not wanted, and was not calculated to put an end to the injurious system of voting. For his part, he did not wish to get rid of the measure by a side wind—that was never his mode of proceeding; but he must declare himself decidedly hostile to both the measures, and he did not see any reason for voting in favour of either. This bill was to do away the influence of the

priests. After it should be passed, there would still be enough voters to carry any election the Catholics might like. Was it right, he asked, to take away the elective franchise from the people, under a pretext which was contradicted by the Irish members? He cordially agreed with his noble friend behind him; and if he pressed his opinion to a division, he would certainly vote with him.

Mr. *Stuart Wortley* said, he had abstained from taking any part in the great discussion, because he had thought it his duty not to intrude himself on the House when its valuable time was occupied so much better. He had felt willing to give way to persons who had more weight than himself; but none of them had given the great measure a more cordial vote than he had done. He did not approve of this bill; but he had been told that, if he wished the other bill to succeed, he must vote for this; and under the influence of that assurance, he had come to a determination to vote for this bill, though it had cost him considerable difficulty. But, although he meant to support the bill, he agreed with the right hon. member for Liverpool in most of the objections he had urged. The bill was a sweeping measure of parliamentary reform, and he was afraid the vote he meant to give would at some future time be referred to by the gentlemen opposite, in support of some of their schemes of which he could not approve. He even thought the measure ill adapted to the present wants of Ireland. It would not lessen that dependence which was created by the numbers of the peasantry. It would raise the qualification, but not their character. They would still be tenants on the same terms as before. It was the nature of their tenure, not the amount, which caused their degradation. But, notwithstanding his objections to the bill, he meant to support it, as being necessary to the success of the other great and paramount measure.

Lord *F. L. Gower* said, he rose chiefly to notice an observation which had fallen from the right hon. member for Liverpool. He was astonished to hear from that right hon. gentleman that the object of these measures was, to secure for the ministry popularity in Ireland ["no, no," from Mr. *Huskisson*]. He had understood the right hon. gentleman to say something of that kind; and he should regret very much if an opinion should go abroad, that the go-

vernment had framed its measures with a view to popularity in Ireland. He believed the measures had been received with acquiescence; but nothing more. He believed, by the accounts he had received from Wexford, the focus of former rebellion, and by the accounts from Waterford, the principal seat of that later insurrection (he meant it not invidiously) which had recently returned the member for that county—by these accounts he believed that there the measures were acquiesced in; and it had never been anticipated that any thing more would occur. The proceedings of the electors in Louth, Waterford, and Clare, afforded matter for grave consideration with respect to the bill. One fact would show the state of dependence of one class of electors; namely, that out of ten thousand registered forty-shilling freeholds, the parties themselves had not, in any one instance, paid for registering.

Mr. *C. Grant* said, he regretted much that he was obliged to differ from his right hon. friend, but still more should he regret that any impediment should be thrown in the way of the mighty measure with which the present was accompanied. He would not then enter into the principle of this bill. He wished sincerely that it had never been introduced; but, looking to the success of a great and important measure for which he had long sighed, he would pass over the demerits of this. He knew that difficulties were placed in the way of ministers, with respect to the important measure for removing Catholic disabilities. Some of those difficulties might be seen by any one who looked at what was passing; but there were other difficulties which could not be seen by many. To throw additional difficulty in their way by opposition to this bill, whatever might be his opinion of it in the abstract, was what he could not do. He therefore was content with it. It might be said, that it would be establishing a bad precedent for the future; but bribe him with another measure, so pregnant with benefit to the country, and he would readily pay the same price and make a similar sacrifice. On these grounds, he would give his cordial assent to the motion.

Colonel *O'Brien* said, the bill had his hearty concurrence, as a measure most salutary for Ireland. It would put an end to the political strife between landlord and tenant. The franchise was a privilege;

but though, on some few occasions, it had been exercised with purity, its abuses were frequent. He had no doubt that great benefit would accrue to Ireland from the measure of disfranchisement.

Mr. *Abercromby* said, he had voted for the measure of 1825 because he thought it would operate beneficially for Ireland, but he owned that subsequent events had altered his opinions. He did not approve of the principle on which this measure went, and he waited until he had heard an explanation of the other measure;—but, from the moment he had heard that explanation by the right hon. Secretary, his opinion was changed; and he was determined to support this, because of the more important one which preceded it. He admitted that this was not a parliamentary ground for voting; but he must take some broad ground, and the best that appeared to him was to give his vote for the bill, which, by itself, he could not approve, for the sake of that before which all minor considerations gave way, in consequence of the immense advantages which it would produce to the country.

Mr. *Banks* said, there was a religious society spreading and extending itself, though subsisting contrary to law, both in this country and in Ireland, with whom it was a tenet, if they were not most cruelly belied, that the end in all cases justified the means, and that it was lawful, if the end should be such as they were desirous to compass, not to be scrupulous as to the means which they employed to effect it. Whether that feeling was justly ascribed to them or not, he did not know, but his conduct throughout life had always been, and he trusted always would be, founded upon other principles. He would not, even for the sake of a great good, consent to do a little evil. Gentlemen who were on the other side of the House appeared inclined to act as this religious society acted; for they admitted that this bill was a something to which they gave their consent with reluctance, and that it was only in consideration of the great good that they would be able to do by means of another bill connected with it, that they gave their consent to this measure, which from the bottom of their hearts they abhorred. In the year 1825 a bill, similar in its nature to the present, was introduced; but that disfranchising bill was not intended to be a

retrospective measure, and if ministers would now make this a prospective measure, they should have his vote in support of it; for he considered it to be a laudable improvement in itself. But when he considered that this bill was first of all a retrospective bill, next that it was a bill of penalties, and lastly that it was a bill of spoliation, he could not consent to give it his support. As to the idea of the measure giving content to Ireland, he thought, on the contrary, that it would excite discontent, and that the disfranchised freeholders would soon seek the restoration of their franchise. As long as the forty-shilling freeholders voted with their landlords there was no complaint of them; but the moment they began to act independently they were disfranchised for their independence. That alone was their crime; for yielding to the influence of their priests in a few particular instances they were to be punished by an universal forfeiture of their elective rights. He would agree in the propriety of examining the reality of the forty-shilling franchise; but the machinery set forth in the present bill might be applied to that object. There might have been a time when the measure was necessary; but now, on the showing of gentlemen who gave it their support, it was less necessary than ever, inasmuch as they contended that the first bill would quell all religious discord in Ireland. As to the objections founded on the inconvenience of the great number of these freeholders, that inconvenience would soon disappear, as a considerable diminution of the number would take place by the extinction of the lives for which the present leases were held. Without connecting this measure of disfranchisement with that of emancipation, he should vote against it now as he had voted against it before. On any ground it was impossible that he could support it, not seeing many of his friends now in the House he was not determined to divide on it; but if any hon. member should take the sense of the House upon it he would vote with him.

Mr. *H. Grattan* said, that the House was now about to disfranchise, not the corrupt electors of Grampound, or Penryn, or East Retford, but the honest, independent forty-shilling freeholders of Ireland, and that without evidence, without examination or inquiry as to their conduct, their situation, or their solvency, or as to

the manner in which they had obtained their franchise, or the way in which they had given their votes. He contended that a greater act of injustice could not be perpetrated than that which the House was now going to perpetrate, under the false name of civil and religious liberty. This bill was not the barter or price for any other bill; it ought to be called a bill of penalties. Let him vindicate the other bill from the malignant assistance of this bill. That bill did not rest on the disfranchisement of the forty-shilling freeholders, nor on the question of political expediency, nor on the still more important question of a divided cabinet—it rested on the rights which God and nature had given them, which should be as dear to every freeman as life itself, and which ought not to be parted with, but with life. The second measure, the present bill, was, in fact, but a trap to catch the easy consciences of inexpert politicians. The total number of Irish electors was two hundred and twenty thousand; and of these seventy-eight thousand were forty-shilling freeholders. Was that body of voters to be disfranchised at once and without cause? As to the alleged influence of the priests over them, he denied the existence of such influence. At the Clare election the forty-shilling freeholders voted against their priests; so they did in Drogheda against their archbishop and clergy. But supposing the Catholic forty-shilling freeholders to have abused the franchise, why disfranchise the Orange forty-shilling freeholders of the north? That class of electors was most numerous in that part of Ireland. Surely they could not be charged with being under the influence of the Catholic priests. The measure was unnecessary, unjust, and unconstitutional. He regretted that this measure should be connected with another measure, which he was happy to support; and he regretted it the more, because this measure was at once unnecessary, unjust, and unconstitutional.

Mr. Wynn said, that from the evidence which had been given before one of their committees two years ago, he had been convinced that there was a great evil which imperatively called for remedy in the condition of the forty-shilling freeholders of Ireland. He had no hesitation in declaring, that if the Catholic relief bill had been carried, and this bill had been proposed to them by itself, and on

its own merits, he should have given it his best support. If such would be his feelings under such circumstances, how much more likely was he to give it his support now, when he looked at it as the means of facilitating a great measure, to which he attached more importance than he had ever attached to any measure which had been brought before parliament during the thirty years that he had been a member of it. Certainly it was not advisable to meddle with the elective franchise, if it could be avoided; but what was the case here? The interference was unquestionably a benefit to the people of Ireland. Parliament had interfered with this franchise before; and one instance of their interference, in the time of Henry 6th, had been noticed by his learned friend, the Solicitor-general for Ireland. "But," said the hon. gentleman, who spoke last, "you are taking away, by this bill, the rights which God and nature has given to the forty-shilling freeholders." Now, how it could be said that God and nature had fixed the elective franchise at the rate of a forty-shilling freehold, he for one was unable to discern. There were many parts of this bill, on which he entertained doubts, and there were others which he thought deserving of further consideration before they were adopted; but, taking it as a whole, he had no hesitation in declaring, that he would give his consent to the measure, even in its present shape. He would rather sanction this bill in a defective shape, knowing that parliament could hereafter amend it, than incur the hazard of placing in jeopardy the great measure, of which it was a part. He gave his fullest confidence, as far as these measures were concerned, to the members of his majesty's government. They had earned it fully and fairly, by the character of the measures which they had brought forward for the conciliation of Ireland. Feeling the difficulties which they had to encounter and being desirous of affording them every assistance in his power, he should give this measure his unqualified support.

Lord Palmerston said, he had never risen under more painful feelings than on the present occasion. It was painful to him to express his dissent from any one of those measures, which the government had proposed with a view to procure the tranquillity of Ireland; but, feeling as he did, an insurmountable dislike to this bill,

and believing it to be unjust, and not only unjust but unnecessary, he could not refrain from expressing his opinion in opposition to it. He did not see that the two measures were connected together in the manner supposed by some hon. members; nor did he think that the friends of emancipation were bound by any bargain with the government to pass this measure. In the Speech from the Throne the measure was not mentioned as the price of emancipation; which was promised upon the understanding, that the parliament would grant an immediate, summary, and complete power to put down the Association. They had joyfully accepted those terms—not because they were ignorant of the amount of the price, but because they thought the purchase worthy of it. Having paid that price, it was impossible to believe that the government would withhold from them their part of the bargain. Neither the present nor any other government could be guilty of such conduct. The cause for which the government were willing to concede emancipation was state necessity, and nothing had occurred since February to weaken the importance of that cause. The bill of 1825 was not so general in its provisions as the present. As an instance of which, he might mention, that that bill did not touch estates in fee simple, while this bill would affect them among the rest. He objected to it also, because it appeared to him to be conceived in a spirit of punishment and vengeance, rather than in one of conciliation. The only intelligible reason for it was, that the persons on whom the bill was intended to operate were Catholics, and likely to be influenced by their priests. If so, the House would be doing the very thing which his right hon. friend stated he wished to avoid. It would not be giving an equality of political rights and an abolition of civil disabilities. It was said that the disfranchisement was not confined to the Catholics, but extended to the Protestants. In the first place, he did not consider it any consolation to the Catholics, that the skirt of the storm which swept them away passed over the Protestants. He contended, that they were not placed on an equal footing with the freeholders of Great Britain, mainly because there was a difference between their religious opinions. Therefore, these measures would still leave the Catholic question behind them; and parliament, in

passing them, would be defeating its own ends.—Some persons asserted that the effect of raising the franchise would be to improve the morals of the freeholders of Ireland: but he could not avoid distrusting the moralist who began his system by committing a flagrant act of injustice. It was said, that frauds and perjury were now daily practised. If they did prevail, he should be happy to concur in any measure to lessen their prevalence. Fraud and perjury were unquestionably an injury to the honest *bond fide* freeholder; but it was most unjust to make the existence of one injury the reason for inflicting another. Was it any thing like justice to take this short and sweeping method of extinguishing rights, because parliament did not choose to apply a specific remedy to a partial abuse? It was to be observed, also, that there was no charge against the honest *bond fide* freeholder, but that he had acted independently and according to the dictates of that best and surest guide, his conscience. It was argued, that parliament must step in to prevent landowners from cutting up their property into small freeholds. This course might be very kind, paternal, and considerate, but he thought it a very unnecessary, if not an officious interference. There was a government in Europe which he would not name, not supposed to be much interested in the welfare of its subjects, and where they were dealt with rather upon the principle of predestination than of free-will. He was unwilling to take a leaf out of the book of that government; and for that reason he was desirous that the landlords of Ireland should be allowed to take care of their own interests. If they chose to be so foolish as to ruin their estates for the sake of obtaining political influence, he did not think parliament ought to be called upon to interpose.—But, the statement on which the bill was founded was not borne out by facts. He did not believe that landlords generally, had divided their estates for that purpose, and it was to be recollected, that the registry of a freehold was no proof of the creation of a vote at the time of the registration. The practice might have prevailed among a few landlords, but they were the exceptions and not the rule. On the contrary—as had been well stated by his noble friend, who had shown himself so well acquainted with the situation of Ireland, where he had spent so much of his time, and had proved

himself so good a landlord—the tendency of landlords was rather the other way: a system had been carried on for thinning the population—whole families had been removed from estates, without consideration of the miseries and distresses to which they were thereby exposed. It had been said as an excuse for this bill, that it would create for Ireland a substantial yeomanry. The gentlemen who used this argument could not wait for the regular progress of society towards improvement, but they must hasten the consummation by a special enactment. What was to be done? And when it was done, what was gained? an Irish ten-pound freeholder. And was he to be compared with the substantial freeholder of England—as if all this machinery would manufacture yeomanry at once? Ere long the ten-pound franchise would be found too light; then it would be raised to 20*l.*; and when that proved insufficient, where was it to stop?—He apprehended that a great mistake was prevalent in this country as to the subdivision of property in Ireland, its causes and consequences. He maintained, with his right hon. friend, that it did not arise from the election laws, but proceeded from the state of society; and the truth of this was demonstrated by the fact, that in the lands belonging to church corporations, where no vote could by possibility be created, the holdings were as much subdivided as were the estates of the most aspiring political landlords. The distribution of property must more or less affect the size of the holdings. In an agricultural country, where large capitals were afloat, large farms would exist; but in a country like Ireland, the farmers were possessed of little capital; they subsisted by manual labour, and it was idle to expect, by an arbitrary enactment, to accelerate the consolidation of farms. Moreover, if a bill would accomplish the object in a country without manufactures and without other means of employment, the effect would be to create a degree of misery which could never be counterbalanced by any abstract advantages from any theory, however beautiful. Perhaps gentlemen were not aware of the difference between the distribution of the population in Ireland and in England. He would mention one fact upon this point. In Ireland there was a population of seven millions, and yet there were only thirty towns in the country with inhabi-

itants exceeding five thousand. In Scotland where there were only two millions of people, there were thirty-three towns with more than five thousand inhabitants. Yet, taking the total number of inhabited houses, it would be found that the population was nearly the same. It was in vain, then, to think of accelerating the progress of society by arbitrary enactments. He earnestly wished that ministers had not enforced the necessity of agreeing to this bill; and he yet hoped that they might be prevailed upon to accede to the proposition of his noble friend, and thus allow time for the regulation of the evils, before they proceeded to a measure so violent. He should not be disposed to scrutinise too closely any machinery by which that regulation was to be accomplished, which should begin by the correction of abuses, and the remedy of admitted evils. An alteration was unquestionably required in the system of registry, in order to protect the *bonâ fide* freeholder from the intrusion of fictitious votes. A measure for that purpose might accomplish a great national object, and induce those who were disposed on some conditions, to concede the claims. It was a mistake to suppose that the bill under consideration was favourable to Protestant parliamentary influence. It proceeded upon the supposition, that when the cause ceased the effect would cease also. True it was, that in a moment of great excitement, during the late election for Clare, the priests had exercised an amazing influence; but, what were the circumstances under which that election took place? There was a central government in Dublin, and in the provinces a tremendous degree of excitement, well described last night by his right hon. friend. This enthusiasm pervaded the whole south of Ireland, and it was aided by large pecuniary resources found in the Catholic rent. That temporary agitation was now over, and when the question was once settled it would not be revived. Things would return to their former state—the natural influence of landlords over their tenants would be restored, and he was convinced that those freeholders who were about to be disfranchised were more likely to be well-disposed towards the Protestant interest, than the higher class of yeomanry which this bill was intended to create.

Mr. Secretary Peel commenced by expressing his cordial concurrence in the

observation of a right hon. friend, that though, as a general principle, each measure submitted to parliament should be considered on its own merits alone, yet there were some questions which could not be disposed of otherwise than with reference to the principle of mutual compromise. Different members might entertain different opinions with respect to every clause in a bill; and, if each were to persist in establishing his opinion, there would be an end of all legislation. In nine cases out of ten, all practical advantages would be lost by a too rigid adherence to form. What was the course which the House pursued with respect to the bill for repealing the Sacramental Test? They sent it up to the House of Lords in one shape, and it was returned in another. The House wisely consented to accept the advantage of a repeal of the test, instead of insisting on having the bill in the form in which they originally sent it up to their lordships. If ever there was a measure which justified the principle of compromise, it was that to which the attention of the House was now directed. He could not sufficiently express his admiration of the magnanimous conduct of the hon. member for Waterford, who had expressed his determination, perhaps at the cost of some personal sacrifice, to bestow upon his constituents a permanent benefit. The great difficulties which had hitherto opposed the settlement of the Catholic question, rendered it incumbent on those who were favourable to that object to compromise, in order to effect their object. The noble lord who spoke last, said, that the session commenced with a compromise; which was, that the Catholic Association should be suppressed, in order to arrive at Catholic emancipation. The noble lord admitted that he was a party to that compromise; and therefore there was an end of the argument against the principle of compromise. The noble lord said, that the price of the compromise was to be unqualified concession. He denied that: the only promise held out was that of an attempt to adjust the question on safe and satisfactory grounds. In how difficult a situation was the government placed! Last night the House was told, that the conditions of the King's Speech were not observed, because unqualified emancipation was offered to the Catholics; and now, the noble lord said, that government had not

kept its engagements, because they did not grant emancipation without conditions. These contradictory assertions proved how difficult a part was that of a mediator, who desired to reconcile conflicting opinions, and to obtain a safe and satisfactory adjustment of the question. From two different quarters he was met by distinct objections—first, that the concessions were of too unqualified a nature; and next, that they were so qualified as to be useless. He, notwithstanding, asked: the consent of those who were opposed to this measure, because he believed it to be essential to the carrying of the other, in the propriety of which they were agreed. Under these circumstances, he asked them to wave their objections to this bill, in order to secure the success of that for removing civil disqualifications from the Roman Catholics. He hoped it would not be conceived that he put the matter forward in a menacing manner. He could assure the House, that he had not brought forward the question with that view. His object was, not to find specious objections to the Catholic question, and then abandon it because the country was against him: his object, from the first, had been to carry it. He did not assume this tone, in order to menace the opponents of the present bill, who were favourable to the success of the other, with the prospect of government throwing out the latter if the former were not carried; but he candidly declared, that he considered the passing of this measure as essential to the success of that which had been connected with it. Ministers, in bringing forward that bill, had not resorted to any securities, as against the Roman Catholics. The fact was, when he proposed that measure, he never professed to place any value upon securities; and he thought it infinitely better not to introduce securities, which to the Protestants could be of no value, but which would be unnecessarily galling to the Catholics. The bill did not proceed on that principle, nor did it go upon the plan of restricting the legitimate exercise of the Roman Catholic religion. The principle was similar to that contained in the bills of Mr. Grattan, lord Plunkett, and his late right hon. friend, Mr. Canning; and the object of the attempt was, to make the measure, as far as it could be effected, satisfactory and conciliatory to all parties. However, had the proposition been one of simple and unqualified eman-

cipation, a well-founded argument might have been brought against its supporters, if they had omitted any notice of the elective franchise; a failure in the adjustment of which must endanger the bill. Why did they attempt to touch the elective franchise in 1825? And why did hon. members, who now professed different opinions, at that time support a measure for its modification? He would be the last person to allude to former occurrences in a reproachful manner; and he was quite ready to admit that, if hon. gentlemen had altered their opinions upon this or any other point, no doubt they thought themselves justified in what they did by a change of circumstances. But why, he asked, in arguing this question—omit any reference to the elective franchise? Why did a large majority of the House consent to the bill which his hon. friend brought in for the purpose of effecting an alteration in it?—why, but because they thought that considerable danger was likely to result from the present mode of exercising it? It might be said, that in 1825 securities were offered, and it might be demanded, why propose emancipation now without them? This was supposing that the present bill had not been introduced. It was also said, that this measure differed totally from that of 1825; and that it did, to a certain extent, could not be denied. The bill of 1825 was very skilfully drawn up; but it was a complete disfranchisement of the existing freeholders. The existing freeholders were positively disfranchised if they omitted to register their claims. It was required, before the voter attempted to exercise his privileges, that he should register his freehold; and the bill affected every freeholder who omitted to comply with that form. You never before told him that it was necessary to do so; yet the right hon. gentleman stepped in and said, “You who have not registered your freeholds shall be disfranchised; at the same time that you who have been registered by your landlord or by a liberal club, shall preserve your privilege intact.” Those who were disposed to quarrel with him for giving unqualified emancipation to the Roman Catholics without securities; what an argument this volume of Roman Catholic evidence taken in 1825—what a conclusive argument—what a powerful case it made out against them upon this point! He took the evidence of Roman Catholics of the highest

respectability; who were deeply interested in the prosperity and tranquillity of the country—of persons interested, as in the case of Mr. Blake, in securing a moderate and reasonable ascendancy to the Protestant establishment. Mr. Blake was asked, whether he did not know that the priests had a great advantage over the landlords in contested elections, and he answered, that in many cases they were enabled to take away the freeholders from the proprietors, and carry every thing as they pleased. He was also asked his opinion as to whether raising the qualification would naturally diminish the influence of the priests, and he replied, he thought it would, and that in every view of the case such a measure was essential to the peace of Ireland. Why should we disregard unsuspected testimony like this—the testimony of a Roman Catholic lawyer, of high respectability and intelligence—and his opinion, with respect to the best means of securing the peace of Ireland? Mr. Blake was asked, at what rate he would fix the qualification for voting, and he said he should propose to carry it as high as 20*l*. After this, what would have been said if he (Mr. Peel) had not taken 10*l*. as the qualification, but left it as he found it? What said Mr. O’Connell on the subject? He admitted, that the system of forty-shilling freeholds in Ireland was essentially different from that of England, and that freeholds held by a derivative interest afforded an immense encouragement to perjury. On being asked, did he think there would be any objection to raising the freehold qualification to 20*l*., he said, yes, and he thought we might avoid the evil of perjury by raising it to 10*l*.; at least that there would not be any thing like the same temptation to perjury then as now. Mr. O’Connell said, many independent voters would be disqualified, if the franchise were raised to 20*l*.,—none, if it were only raised to 10*l*. This, he (Mr. Peel) contended, would be a serious objection to the proposed measure of emancipation, if it were to be conceded without an adequate security against the undue exercise of the Roman Catholic interest, directed by the priests. It was only fair to the parties to state, that no Roman Catholic party, or individual, had been consulted in this matter: indeed, he thought it much more becoming that the act should be the independent legislation of the government. He did not think it

would have been dignified in ministers to have asked any man to accept concession on a principle of compromise. His right hon. friend said, his chief objection to the present measure was, that it laid the foundation of reform. If his right hon. friend objected to the proposition mainly on the ground of its affording a precedent for reform, it was rather singular, that the argument of his right hon. friend himself should be susceptible of a similar application. His hon. friend said, "protect the existing franchise—make the existing franchise independent of this measure—and I shall give you my vote." Here, then, in his right hon. friend's own proposition was an argument for reform; for the prospective dealing with the elective franchise was as much an argument for reform, as a present interference with the privilege. He repeated—prospective measures of arrangement and alteration were at least as powerful arguments for future reform in England or Scotland, as could be deduced from this measure, with respect to a reform more immediate; therefore he could not admit the force of his right hon. friend's argument against this measure, as it related to reform, because the same argument, if good for any thing, was good against the admission made by his right hon. friend himself. The fact was, up to the year 1825, the forty-shilling freeholds were an instrument by means of which, and over which, the Protestant landlord maintained his ascendancy; but at that period a change was effected in the state of things—the weapon broke short in his hands—it was wielded by other and hostile powers—and there was a prospect that it could only be so wielded to the imminent danger of our Protestant institutions. We were about to give the Roman Catholic a great compensation: he was now under a stigma of exclusion and humiliation: we were about to say to him, "we will place you erect, in your free and natural position;" and, in return for a concession such as this, we were entitled to demand his ready acquiescence in a measure like the present. In acting thus, we did not take the course which his right hon. friend said: we did not call in our bad halfpence, giving nothing in return; but we called in our bad halfpence, and gave good coin in return for them. He could not consent to place the present measure on the ground of a penalty directed against the Roman Catholics. It was not an exclusive penalty; the fact was, if it were a

penalty towards any, it was an equal penalty towards all. It would affect Protestant and Catholic alike. But, on the subject of penalty, if we took the case of any one Roman Catholic forty-shilling freeholder who had registered his privilege, in compliance with the directions of his landlord—of one of these marksmen, who could not write his name—if we looked at the individual loss that would be sustained, we should find that it could not be very great. This was sufficiently clear, if we looked at the evidence of Mr. O'Connell, who said, he had seen many contests arising between the landlords and the priests—contests which he hoped never again to see—for they were productive of ruin to the object of them—the forty-shilling freeholders. He might allude to the Clare election while upon this subject. Major Warburton had narrated some of the events connected with it, and he should never forget the peculiar case of an individual whom that gentleman had seen, the circumstances of whose story he narrated, and whom he could not advert to without tears. At the commencement of the Clare election, a landlord of the county had promised what was called his interest to his right hon. friend (Mr. V. Fitzgerald); the landlord had a voter on his estate, who was under great personal obligations to him, and previous to the commencement of the contest he said to this voter, "I shall vote for Mr. Fitzgerald, I suppose you mean to do the same." The man was only astonished at the implied doubt which his landlord's mode of expression appeared to convey, and declared his determination to imitate the example of his patron at the approaching election. Well, as the struggle grew nearer, a degree of excitement was produced, to which it was only necessary to allude: the freeholder did not escape its effects—he came to his landlord with 60*l.* in his hands, and addressed him thus:—"I have saved this sum while your tenant, and upon your property. I cannot redeem the promise which I gave you, there—take the 60*l.* make use of it to promote the interests of Mr. Fitzgerald, but my vote I must give to O'Connell." Could any thing be so painful as the situation of him who was obliged to perform such a part—to observe such a double contract between his religion and his conscience? He admitted he did not think he should have been able to have sustained the measure upon such strong grounds, except in so far as he believed it

calculated when carried into effect, to raise up a real, substantial, independent yeomanry in Ireland, and to rescue the forty-shilling freeholders from the consequences of such a conflict as he had just described. These grounds should not be omitted, on a consideration of the question; but at the same time he admitted, that except we were able to promise a satisfactory adjustment of the Roman Catholic question, there was not the least chance of this measure being listened to. He never would have endeavoured to withdraw existing privileges, however they might have been abused, unless he had been able to offer a compensation, by granting the enjoyment of beneficial and legitimate, for the dangerous and illegitimate power, which he proposed to take away.

Mr. *Hushisson* observed, in explanation, that the words he had used were to this effect:—That he would submit to any hardship short of positive injustice, or a forfeiture of legal rights; but to that forfeiture he could not submit under any circumstances, except those of uncontrollable necessity. He could not admit that we were placed in circumstances of such necessity; consequently, he must withhold his approbation from a measure like the present. It was under these feelings that he had spoken of the proposition as one likely to afford a dangerous precedent.

Mr. *Trant* attempted to obtain a hearing, but the cries of “question,” and other indications of impatience on the part of the House, were so loud and uninterrupted, that we could only collect from the hon. member’s remarks, that in the last parliament he had voted against a measure of this kind in concert with his right hon. friend, and that he should do the same now.

The House then divided: for the second reading 223; against it 17; majority 206.

List of the Minority.

Banks, Henry	Lambert, J. E.
Bentinck, lord G.	O’Neil, hon. John
Bryan, Thomas	Palmerston, lord
Dawson, A.	Townshend, lord C.
Dickenson, W.	Uxbridge, earl of
Estcourt, T. G. B.	Warrender, sir G.
Fane, John	Westenra, hon. H.
French, A.	TELLERS.
Grattan, H.	Lennox, lord J. G.
Hume, J.	Trant, W. H.

HOUSE OF LORDS.

Friday, March 20.

ROMAN CATHOLIC CLAIMS—PETITIONS FOR AND AGAINST.] The Bishop of *Rochester* presented a Petition from some place in his diocese, praying that no further Concessions might be granted to the Roman Catholics. He said, he felt bound to declare, that he could not concur in the prayer of the petition. He maintained that the power of legislating on the subject to which the petition referred, rested with their lordships; and if the majority of their lordships thought it expedient to grant Catholic emancipation, they had a perfect right to carry their wishes into effect. The petitioners prayed for the maintenance of Protestant ascendancy. He hoped that Protestant ascendancy would always prevail in these realms; but, in his opinion, there was a wide difference between Protestant ascendancy and Catholic oppression. He trusted, that the system of exclusion was about to receive its death blow, but that the Protestant constitution would live for ever.

Lord *Plunkett* presented a petition in favour of Catholic emancipation, signed by about one half of the Protestant members of the Irish bar. The prayer of the petition was, that the laws imposing disabilities on the Roman Catholics might be removed. He could take upon himself to say, that whatever might be the feeling of others respecting those laws, the Irish Protestant barristers thought them more degrading to themselves than to their Roman Catholic brethren. For his own part, he never met a Roman Catholic brother barrister without feeling a sense of shame, on reflecting that the Catholic was shut out from those privileges and honours which lay open to himself. He had also a petition with the same prayer, to present from the Roman Catholic members of the Irish bar. The petition was signed by a number of highly respectable persons, and by four gentlemen who had been, by the liberality of the English government, advanced to the situation of assistant-barristers, which was one of the highest responsibility.

The Earl of *Mountcashel* said, he was not at all surprised that so many Protestant lawyers had signed the petition. He had no doubt they had done so in order to preserve their fees. Many of them would have lost their fees if they had not signed

the petition, and therefore their signatures to the petition ought not to be received as proof of their sentiments on the Catholic question.

The Earl of *Eldon* could not agree in the sweeping imputation. He believed the bar to be as independent a body as any in the kingdom.

The Earl of *Mountcashel* did not mean to throw out any reflections against the lawyers of the bar of Ireland. But he knew that there was a feeling among them, that if they did not take the popular side, they would lose a great deal of their practice.

Lord *Plunkett* wished to make one observation on what had fallen from the noble earl. The noble earl, it seemed, meant no disrespect to the petitioners, when he said that they addressed their lordships on the Catholic question more from a view to personal emolument, than from a conscientious feeling on the subject. Now, it certainly was for the noble earl to explain what were his ideas of propriety; but if the charge he had made against that liberal and enlightened profession to which the petitioners belonged were true, what did it prove? The noble earl had said, that, for the sake of obtaining employment, the lawyers assumed the pretence of being favourable to the Roman Catholic claims. Now, those who had the power of giving employment to lawyers must be the principal proprietors in the country; and therefore, if the charge made by the noble earl were true, it proved that a large portion of the landed proprietors of Ireland were favourable to the Catholic claims.

The Earl of *Eldon* said, he had now ceased to be a learned lawyer; but from all he recollected of the English bar, he could bear testimony to the integrity of that body.

HOUSE OF COMMONS.

Friday, March 20.

ROMAN CATHOLIC CLAIMS—PETITIONS FOR AND AGAINST.] Admiral *Sotheron* presented seven Petitions against further concessions, from the inhabitants of thirty-two parishes in Nottinghamshire.

Mr. *J. E. Denison* said, he wished to state a fact which had come to his knowledge with respect to one of these petitions, that from the parishes of *Normanton*, *Weston*, and *Ossington*. He alluded

more particularly to the latter place. It was a fact, then, that names of parties were signed to this petition, not only without their authority, but without their knowledge. Who had authorized its being done he did not know, but it was a serious charge against some person. He mentioned the fact to the House, leaving it to deal with it as it should please. This petition did not originate at any meeting, in any of the parishes from which it purported to come. A person came with it to those parishes, and asked all he met to sign it, or to authorize him to sign for them; and that some one must have signed for many others was clear, for on the face of the petition it appeared, that a great many names were in one handwriting. It appeared, also, that the zeal of this collector of the sense of the people carried him a little further, for he not only signed for those he saw, or whose wives he saw, but he put down the names of others whom he could not possibly have seen at the time. He had looked over some of the names, and he there found that of his own groom, who was fifty miles distant at the time. Wishing to ascertain whether the man had given any authority for putting his name, he wrote to him, and was informed, in reply, that he had never before heard of the petition, and of course that he had given no authority to have his name affixed to it. In making this statement, he had no wish to detract from the merit of petitions; but, in pointing out abuses of this kind, he only asserted the right of petition.

The *Speaker*.—Probably the hon. member, before he proceeds further with these petitions, will address the House in explanation of the statement which had just been made to it—that one of these petitions contains names affixed to it by a person who was not authorized so to do.

Admiral *Sotheron* said, that when he first heard that the names of parties had been put to this petition without their authority, he wrote to make inquiry as to the fact, and was told by the person whom he addressed, that he regretted there were the names of three persons put down without their authority, by the person who took the petition round, but at the request of their respective wives. As to the name of his hon. friend's groom having been put down without his authority, there was now no doubt of the fact; but it was probably done at the re-

quest of his wife. If there was any thing irregular in the petition, he was sorry for it; but he had no knowledge, when he received it, that there was any thing wrong in it. The feeling on the subject to which the petitions referred was so very strong in that part of the country, both amongst men and women, that he thought the latter could not be blamed if, in their zeal, they authorized the signature of their husbands' names.

The *Speaker*.—I am quite sure the hon. member will see that there is no charge whatever against him on the subject of this petition: but I would beg to direct the hon. member's attention to this—that every member who offers a petition to this House does it in the full confidence that it is signed by those who are professed to be its subscribers. The hon. member having heard it stated, that the names of individuals were put to the petition without their authority, and only at the suggestion of their wives, will feel that, in that respect, it is irregular; for, though there is no law or regulation of this House which prevents the reception of petitions signed by women, it does not go so far as to allow them to act as the proxies of others, in authorizing signatures to be affixed. It will therefore be better for the hon. member to withdraw it. If the women were right in the opinions they had formed of the sentiments of their husbands, the thing could be easily remedied, by the husbands signing their own names.

The petition was then withdrawn.

Mr. *Wilbraham*, in presenting a petition from the Unitarian congregation of Nantwich, observed, that it came from a body who had done him the honour, on a former occasion, to intrust to his care a petition for the repeal of the Test and Corporation acts, and they were now anxious that relief from civil disabilities should be extended to all classes of his majesty's subjects; not merely Catholics, but Quakers and Jews. They prayed for this, not only on the grounds of political expediency, but on those of right and justice. In this prayer he fully concurred. He thought that any man who seriously considered the awful declaration made by the right hon. Secretary on a former evening, that five-sixths of the army kept up for home service were employed in Ireland, must be convinced of the absolute necessity of satisfactorily settling the question, by removing the civil disabilities under

which the Catholic laboured; but he thought with the petitioners, that the question ought not to be considered as one of expediency only. He claimed it as one of right, on the part of British subjects. On this point he would quote the opinion of an eminent divine of the church of England of the last century, bishop Hoadley, who, in a pamphlet published about a century back, referred to the question of Catholic disabilities in these words:—"If I could be perfectly convinced, that the Catholics were no longer hankering after the House of Stuart, and that they were attached to the civil constitution of the country, I should feel that I had no right for a single hour to keep them from the enjoyment of the civil privileges which belong to them as Englishmen." Now, it would not be asserted, that any such hankering existed, and the mention of the House of Stuart showed in what light the Penal laws were viewed a century back. No man would say, that the Catholics were not attached to the civil constitution of the country. On what ground, then, was it that the civil privileges to which they were entitled, as subjects of the united empire, should be any longer withheld?

Mr. *Chaplin* presented petitions against concession, from several places in Lincolnshire.

Sir *W. Ingilby* rose, to make a few observations on the mode in which these petitions had been procured. He rose in consequence of a challenge, which he had received on a former evening from his hon. friend, the member for the city of Lincoln, who had called upon him to prove that any undue influence had been used to get up anti-Catholic petitions in the county of Lincoln. He could tell his hon. friend, that he had got positive proof of what he had before conjectured to be the fact. He had now discovered the source from which all the petitions from the county of Lincoln against these claims had been derived. He knew where this petition-manufacture was carried on, almost as rapidly as if it were effected by steam. The petitions so manufactured had found their way into the hands of the hon. member for the University of Oxford, and of the other gentlemen who ranged themselves under his banner, and had been presented with all due pomp and ceremony to the consideration of the House. That they had been got up by

undue influence he could prove by evidence which he defied his hon. friend, the member for the city of Lincoln, to refute. He need not say much of the manner in which these anti-Catholic petitions had been manufactured by the clergy, as it was now too notorious to be contradicted. They had ridden through the country, and had hawked their petitions from one market-place to another, with such indefatigable industry, that one would almost suppose that they had a personal interest in opposing this question. He would mention a circumstance, with regard to one of the petitions which his hon. friend, the member for the city of Lincoln, had presented. A clergyman who was out on his travels, not in search of orders for petitions, but of signatures to be attached to them, went into a parish with which he had some slight connexion. By various arts and representations, he procured the signatures of all the inhabitants of the parish to an anti-Catholic petition; and that, too, in a place where, if the lord of the manor and the rector of the parish had known in time of his proceedings, he would not have obtained a single name. What had been the consequence of the incursion made into this parish by this zealous minister of Christian peace and charity? Why, that all the inhabitants of the place had flown in the face of their landlord, who was a man of the most humane disposition, and was engaged in attending his duties in that House, at the time that this reverend gentleman was preaching a crusade among his tenantry. He was now going to detail to the House what he considered to be a great grievance; and he was sorry that his hon. friend, the member for the city of Lincoln, was not in his place. He was going to produce a placard, which was pasted up on many a wall in the county of Lincoln, and which bore the respectable signature of "Henry Dymoke, Champion of England." It had been posted on a window-shutter in the city of Lincoln, and strange as it might appear, on one side was the placard of the Champion of England, and on the other that of the celebrated Dr. Eady. This placard implored the inhabitants of the different parishes to petition against concession to the Catholics; it recommended those who were anxious to sign such petitions to apply to the clergymen of their different parishes, who would provide them with the necessary forms; and

it desired them, after they had signed such petitions, to forward them to him, and he would have them sent to the proper quarter. The Champion of England had kept his promise of sending them to the proper quarter by transmitting them to his hon. colleague. But was this, he would ask, a proper mode of exciting the county of Lincoln? He considered it very disgraceful to the Champion of England to have his name placed on every post by the side of that champion of the constitution Dr. Eady [a laugh]. It was not very long since he had thrown down his gauntlet in defiance of the enemies of his king: he was now employed in exciting the country against the gracious Speech which had recently been delivered by His Majesty to his Parliament. The Champion of England was the source whence all these Lincolnshire petitions were derived. He could have wished that the Champion of England, instead of viewing this measure with hostility, had seen that it was more calculated than any other to immortalize the reign of his august sovereign, George the Fourth.

Mr. *Chaplin* said, that the best answer he could give to the attack which his hon. colleague had made upon the clergy of Lincolnshire, was to inform him, that the Champion of England, Mr. Dymoke, was not a clergyman. Out of the numerous petitions which he had presented against Catholic emancipation from the county of Lincoln, not more than seven had been sent to him by Mr. Dymoke. He should like to know why Mr. Dymoke, if he chose to call for petitions against Catholic emancipation, should be censured for doing so. Besides, why should his hon. colleague couple the name of Mr. Dymoke with that of Dr. Eady, or of any other doctor? It was an unfair attack upon these petitioners, to say that their petitions were not sent by them spontaneously to the House, but were got up by the exertion of undue influence. It was notorious that, in the county of Lincoln, no influence had been exerted on this question either way. He denied that the clergy had ridden up and down the county beating up for petitions.

Mr. *Sykes* was of opinion, that the hon. baronet deserved the thanks of the House for the manner in which he had exposed the arts used to get up these Lincolnshire petitions. He knew that certain gentlemen had gone, like itinerant hawkers, through that county, on a sort of roving commis-

sion for petitions; that in some cases they had attached fictitious names to petitions; and that in others they had attached real names, but without the consent of the persons to whom they belonged.

Colonel *Sibthorp* said, that as to the petitions which had been presented by his hon. friend, he had looked over them, and could bear testimony to the respectability of the signatures. If he knew of any name which ought to have weight with the House, it was that of the Champion of England. He had proved that he was worthy of that honourable title, by being the Champion of Protestantism.

Mr. *Huskisson* said, that he had that morning received from Rotterdam a petition, which purported to come from H. W. Masterson, an English merchant who resided at that place, but who was a landowner of Middlesex. The petitioner stated, that his residence abroad, in a Protestant country, where Roman Catholics laboured under no civil disabilities, had given him an opportunity of forming an opinion as to the consequences which were likely to result from the removal of the civil disabilities affecting the Roman Catholics in this country. He declared his belief, that such a measure would prove beneficial to this country: and he confirmed his declaration by saying, that though he had resided fourteen years in Rotterdam, where the population consisted of sixty thousand Protestants, and of twenty thousand Roman Catholics, who were each equally entitled to take a part in the municipal establishments of the town, he had never heard of an instance in which either party had been accused of exerting an undue influence over the people, in favour of the professors of their own religious creed. The greatest harmony existed between the Protestant and Catholic population of that city, and all the relations of public life were carried on most regularly, without the slightest regard to any differences of religion.

Mr. *Jephson*, in presenting the petition from Whitechurch against the forty-shilling freeholders' disfranchisement bill, said, it was easy for an Irish county member to vote for the disfranchisement of that body, but for the representative of an Irish borough, it was requisite that he should at least state his reasons for such a vote. He had come down to the House last night to vote against this bill, but when the right hon. gentleman opposite de-

clared that it was inseparably connected with the general Catholic bill, he shrunk from the terrible responsibility of prolonging the misery and wretchedness of his fellow-countrymen. Many of his friends would probably deem him mad, not to have saved his popularity by joining the ill-assorted minority of last night, while he could have done so without endangering the principal bill. He scorned such a course of conduct, and never would be found voting for a measure which he wished to extinguish. He might also have sheltered himself under the specious neutrality of the right hon. member for Liverpool. In ordinary business a man might remain neutral, but this was a question which involved the peace and happiness of his country. He conceded, then, the principle of the disfranchisement bill, and held himself a free agent in its further progress.

Lord *Rancliffe* said, he had always advocated parliamentary reform; but on such an occasion as the present, when so great a boon as the general bill was pending, he was ready to pay the price at which alone it could be obtained.

Lord *Morpeth* presented a petition from a person of the name of John Lawless, against the bill for the Disfranchisement of the forty-shilling freeholders. The noble lord said, that on principle he decidedly objected to the disfranchisement, and admitted that it was a serious undertaking to deprive two hundred and fifty thousand persons of their privileges. In Waterford, Louth, Monaghan, and Clare, the forty-shilling freeholders had done themselves immortal honour; and though it was the fashion to talk of a priest-ridden population, he thought, instead of its being the vice of the priesthood, it was their virtue which had led to these advantages. His noble friend (lord Palmerston) who had gathered fresh laurels upon this question, had, however, failed to convince him that, under the circumstances, the sacrifice ought not to be made. The alternative which presented itself was most perilous; and he, for one, could not consent to risk the passing of the great measure of concession. He agreed with his hon. and learned friend, the member for Winchelsea, that the price was extravagant, because the good was inestimable.

HOLDERS' BILL.] Mr. Secretary Peel having moved the order of the day, for going into a committee on this bill,

Lord *Duncannon* said, he was compelled, in pursuance of the notice he had given, to renew his opposition to this measure. He could assure the hon. member for Mallow that he was not induced to do so from any wish to seek popularity, but from a sincere desire, which he would evince by the resolution he meant to propose, to provide a real and *bond fide* principle of franchise, while he consented to get rid of an artificial acquisition. He considered the present measure as neither more nor less than a penal enactment against those counties where the freeholders were supposed to have misconducted themselves. What was the fault of the freeholders of Waterford? Much greater faults had been committed by the freeholders of many counties in England. The noble marquis, whose family had been ousted from the representation of that county, was a kind and a resident landlord; but he had been opposed as the head of the Protestant ascendancy, and on that ground was defeated. The same remark applied to Louth; and it was scarcely necessary to advert to the recent instance of the Clare election. The efforts that were made in all these places did not grow out of a defect in the elective system. They proceeded from other causes. By the operation of the proposed bill, all the freeholders in the country would be disfranchised for the moment; with the exception of the Protestant clergy. Now, he objected to this. He wished persons who held *bond fide* freeholds of forty-shillings to be allowed to re-register them, subject to the provisions of the act; and he would move a resolution to that effect, with respect to which he should take the sense of the House. The noble lord concluded by moving: "That it be an instruction to the committee, that they have power to render the bill applicable to a due exercise of the elective franchise by forty-shilling freeholders, by preventing a fraudulent and fictitious registry; and to preserve to the people of Ireland their right of voting for representatives in Parliament as at present by law established."

Mr. *Lennard*, in seconding the motion, regretted the necessity imposed on him to oppose the bill. He did so because he considered the present question as involving a great principle: in fact, it in-

volved a forfeiture of vested rights; as had been fairly stated last night by the right hon. member for Liverpool. If the elective franchise had been abused in Ireland, were there not abundant instances of its having been equally abused in England? Yet, on no occasion had we proceeded to interfere with the franchise as it was proposed to interfere with its exercise in Ireland. Look at the extreme caution with which we had proceeded in the cases of Grampound and Penryn. He did not complain of that caution; but, in the present case, we should not precipitately interfere with vested rights. Some years ago, it had been his fate to offer himself as representative for an Irish county; and, though friendly to Catholic emancipation, he had lost his election through the forty-shilling freeholders, who were brought up to vote against him. Still, he was opposed to the principle of the bill. This question had been considerably embarrassed; and he, in common with others, was placed in an unfair position by the manner in which it was connected with another measure; though, between the two, he could not conceive it possible for the slightest connexion to exist. Let the consequences be what they might, he felt bound to oppose the present bill; even although, by doing so, he should endanger the success of the other measure. However, he did not believe that such would be the consequence; for he fully concurred with the noble lord opposite in thinking, that the question of emancipation was one which must eventually be carried by its own weight.

Mr. *L. Foster* observed, that the present measure appeared to him to be one calculated, not only to effect much good in Ireland, but to act as a great practical security, and remove many fears and apprehensions which must otherwise inevitably attend the adoption of the other measure with which it was connected: and, on this principle, he supported the bill. If we had been acting on a system of mutual concession and compromise in devising the present plan of Roman Catholic relief, the concessions from the other side should not be frittered down so as to afford no real security. He was happy to say, from the communications he had received from Ireland, that this measure had produced a great effect in removing the fears and prejudices of the more moderate and judicious of the opponents of the other measure

among the Protestants; and further, that it had even had the good fortune to meet the requisitions of some of the greatest Brunswickers in that country. Many Roman Catholics, proprietors of landed property to a considerable extent, had also expressed their acquiescence in the measure. He supported the bill in preference to the resolution proposed by the noble lord, on the ground that by adopting the one course, we obtained adequate security; but that if we pursued the other, we had none.

Sir F. Burdett regretted that his noble friend had brought forward his resolution. If the question had come before the House *a res integra*, or if it were to be discussed solely upon its own merits, the case would have been different; but it was intimately connected with another and a still more important question; and, although the hon. gentleman behind him had said, even if he were sure that by obstructing this bill we should lose the other, still he felt himself bound to oppose it, he (sir F. Burdett) was of a very different opinion. He had nothing to do with this measure as considered by itself; he gave his support to the right hon. gentleman's scheme, on the clear understanding, that this was to form a part of the great principle of compromise, intended not only to satisfy our Roman Catholic fellow-subjects, but to allay the apprehensions of the Protestant inhabitants of Ireland. It was on this ground he thought that we should not hesitate about this necessary part of a measure, which would be manifestly incomplete if it were only intended to give satisfaction to the Catholics. He could not agree with the hon. member for Dorsetshire, that in consenting to this bill, they were acting on the Jesuitical principle, of doing evil that good might come of it. That was a mistaken notion. They were not called on to do evil that good might come of it, but they were simply called on to do, what they did every day of their lives; namely, that if they wished to gain an object, they must be ready to give an equivalent for it. The right hon. Secretary had had the particularly good fortune, in concocting these measures, to give each party complete satisfaction; and he felt it his duty to act for his Catholic fellow-countrymen as they would act for themselves, if they had an opportunity of making a decision upon their own case. Having alluded to the hon. member for Dorsetshire, he would, with

respect to him and his near relative, the hon. member for Corfe Castle, avail himself of the occasion to pay the tribute due to the fair, candid, and manly line of conduct they had pursued in opposing these measures. He was struck with the contrast it afforded to that of many other persons on that side of the question. Those hon. gentlemen were ashamed to have recourse to foul practices or base artifices. He was sorry that their minds seemed immovable on the subject; but he must admit, that they had made a candid, fair, and manly opposition. The hon. member for Corfe Castle had shewn his sincerity by resigning the office he held under government; and in so doing, he had done as all those ought to have done, who meant to oppose government when engaged in passing measures of this character. They had, at the same time, acted with candour and manliness, and had not sacrificed the regard due to the private feelings of hon. gentlemen who were in opposition to them. He agreed with the hon. and learned member for Winchelsea, that the price that was demanded of them was dear; but he was willing to pay it for the purchase of so valuable a measure, and one, too, which had come from so unexpected a quarter. To the right hon. gentleman who had brought that measure forward he thought the country was most deeply indebted, as well for the measure itself as for the eloquent and convincing manner in which he had introduced it; and while some applauded him for one part of his conduct with respect to these measures, and some for an other, he would go further and say, "Nil non laudandum aut dixit, aut sensit, aut fecit."

Mr. Butler Clarke said, that the great interest which the forty-shilling freeholders felt in their right of voting, derived its origin from their eagerness for Catholic emancipation. In all other cases, they had never sought for that privilege, but had been pressed on to it by their landlords, who had paid the expense of the registration. That question, however, being now about to be settled, the interest which the freeholders had in their votes would be, in a great measure, done away with; and if they were to be, as heretofore, at the beck of their landlords, he thought that they themselves would prefer being without a privilege which would be of no advantage to them, and would

only take them away from more useful pursuits. A great deal had been said about the influence which the Roman Catholic priests possessed; but he did not believe that it was so great as had been represented. At all events, he knew that at one contested election which he had stood in Ireland, the priests had been opposed to him, and yet he had carried the day; and with respect to the more recent case that had attracted the notice of the whole empire, he did not believe it was the priests who had been triumphant, but the cause of Catholic emancipation, which was the cause of every man, woman, and child in Ireland. The only thing that he had to object to was the haste with which this bill was carried on; the consequence of which would be, that if the other measure should by any accident be lost, this bill would, nevertheless pass into a law.

Mr. Secretary *Peel* said, that the reason why the committee on this bill was fixed for this evening, whilst the committee on the antecedent measure stood for Monday, was, that he was desirous that this bill should be committed to night *pro formâ*, in order to fill up two or three blanks in it, so as that the whole measure should be before the House in a more complete state. Its actual committal would correspond as to time, as nearly as possible, simultaneously with the Relief bill. As far as the good faith of a government could possibly be pledged, he and his colleagues were most anxious to carry both measures, and to render them strictly dependent one upon the other.

Mr. *Frankland Lewis* said, he had listened to the speech of his right hon. friend, the member for Liverpool, on the previous evening; and, often as he had had the pleasure of agreeing with his right hon. friend, he was sorry that he could not do so in the present instance. He had fully considered the different bearings of the question and the result was, that he should give a not reluctant consent to the present bill. And let it be observed, that he did not support what he considered to be ill, in order that good might come of it, but because he believed it to be a measure that would eventually be advantageous to the forty-shilling freeholders themselves. Those freeholders had never acted for themselves, except on extraordinary occasions. Indeed, in common parlance, the landlords always talked

of them as "my freeholders." It therefore appeared to him, that the only remedy for the evil was to increase the value of the freehold. The legislature had, on former occasions, swept away whole classes of freeholders, and for less reason. He therefore did not see why, when the granting of this measure was to purchase so invaluable a blessing as Catholic emancipation, hon. gentlemen should object to its introduction. He should vote for the bill with the utmost pleasure, because he was satisfied that, in addition to its other advantages, it would have the effect of creating a better order of tenantry, and of materially improving the condition of the people.

Dr. *Lushington* said, he would also support the bill, not from its involving a question of parliamentary reform, nor altogether as an act of conciliation to Protestant feeling, but as one that facilitated the progress of a great measure, in the success of which he felt a deep interest. He confessed he approached the discussion of the bill with painful feelings; involving, as it did, the disfranchisement of thousands of freeholders, whose conduct at Louth, Clare, and Waterford, so far from exciting sentiments of indignation, gave birth to feelings of respect and admiration. Without a narrow investigation of the measure in all its bearings, no confidence in any administration could induce him to give it his support. He would avow that, in supporting the bill, he was a party to the sacrifice of the forty-shilling freeholders; for it was too plain that they were sacrificed: but if they were, they would have their reward in the consciousness of having thrown open the doors of parliament and high office to their descendants, and of having sacrificed their own rights to the general weal. Sure he was, that those Catholics, whom the great measure would admit into that House, would look back with grateful recollections to the forty-shilling freeholders, who had sacrificed their right for the benefit of their religion and country. With respect to securities, he would say, that the securities he looked for would be created by the measure of relief itself; which would give the pure doctrines of the church of England what they never had had in Ireland, fair play, and by that means enable it to triumph over the superstitions of the Catholic religion.

Mr. S. Rice also supported the bill, on the same principle which induced him to vote for a similar one in 1825. He conceived the forty-shilling leasehold franchise to be illegal, unconstitutional, and contrary to the freedom of election; but not so the freehold franchise, against the abolition of which he would enter his protest. The present measure was not a punishment of the constitutional and honourable conduct of the forty-shilling freeholders, at the elections of Waterford, Louth, and Clare—which conduct, he confessed, occasioned the only embarrassment he felt in supporting the bill. He agreed with the hon. and learned member for Winchelsea, that it was an extravagant price for a great good, but a price which he was willing to pay. He spoke of the price so far as the freehold franchise was affected by the bill; for there was the evidence of Judge Day and Mr. O'Connell, before committees of that and the other House, to show, that the leasehold franchise was injurious to the poor tenant, and inimical to the purity and freedom of election. The former witness stated, that by means of the forty-shilling leasehold system one person was enabled always to nominate a representative for the county of Kerry. The bill, equally applying to the Protestant and the Catholic franchise, was a proof of its fairness. With this view of the question he should support the bill; but he entreated the right hon. gentleman to make some distinction between those who voted upon leaseholds, and those who voted from the possession of a fee simple; for it was of great importance to encourage the acquisition of property in Ireland. He denied the doctrine laid down by some hon. gentlemen, that a political franchise was an inalienable right which could not be interfered with. It was a political privilege, which should be regulated and controlled by the wisdom of the legislature, for the benefit of the whole community.

The Marquis of Graham said, he supported this measure, because he considered it a security,—because it would do away with a freehold system in Ireland, which was one of gross fraud and deceit,—and because it would conduce to the carrying of the great measure of concession, which would tranquillize Ireland, knit together the people of both countries, and tend to the general advantage of the whole empire. It was said, that the perjury was

not so extensive under the forty-shilling system as was supposed; but, at all events, that must be a system of gross Jesuitical evasion which enabled a man to swear to the value of a freehold, greater than that he possessed. This system, too, if it did not produce, supplied a great incentive to the splitting of land, and the increase of population in Ireland.

Lord Milton said, he had to complain, that, in respect to this measure, they had not been left free to exercise their judgment upon it; for they were told, that it was a necessary accompaniment of the other great measure, for the success of which they were all so anxious. He did not consider this the best remedy for the evils which existed in the elective franchise system in Ireland. The bill still left the franchise of a derivative nature, and it appeared to him that they might encourage a much better species of franchise in that country. It would be well, if, instead of raising the franchise, they placed it on the same footing as it was in England. The measure which was introduced in 1825 by the hon. member for Staffordshire, was by no means the same as this; as it was not retrospective in its operation. Now, he thought it would be well to pay a regard to existing rights. He conceived that this bill, though it would diminish the number of voters, would not diminish the power of the aristocracy, nor prevent the registry of fraudulent and fictitious votes. The best way of creating an independent body of electors would be to establish a *bonâ fide* forty-shilling freeholder, who had his freehold in fee simple as in this country, and not on leasehold tenure as in Ireland. This was the only effectual mode, in his opinion, of introducing a body of independent yeomanry in Ireland; but whilst the derivative freehold was maintained, he had little expectation that the freeholders in Ireland would be relieved from that subserviency which was now so much complained of. It was under this impression that he approved of the instruction moved by his noble friend; but, at the same time, he wished it to be understood, that should his noble friend fail in carrying his instruction, he would not offer any opposition to the bill in its future stages, or do any thing that might have a tendency to defeat or retard the success of the greater and more important measure, of which they were told this bill was an indispensable accompaniment.

Sir James Mackintosh said :—I ought, perhaps, to apologise to the House for trespassing at all on their attention, but it is not my intention to do so at any length. I cannot bring myself to consider the question before us as one of a little better or a little worse mode of representation. I cannot bring myself to consider it as a question relating to a predominance of aristocratic or democratic influence. I consider it as a question which relates to the pacification of Ireland, to the real union of the two islands, and to the salvation of the empire. So considering it, my noble friend will excuse me if I cannot follow him through the course of argument into which he has entered. I am quite aware of the great sacrifices which have been made, which are making, and which are yet to be made, by hon. members with reference to this subject. It is a topic on which I can speak the more freely, as no sacrifice has been made by me. But I well know, that there are hon. members who, on the present occasion, are putting to hazard, not merely their seats in this House—for that, comparatively speaking, would be an ignoble consideration—but the attachment of a number of generous voters, who have hitherto supported them in their contests with political opponents. I well know that there are many hon. members who run a great risk, by their conduct on this question, of forfeiting the attachment of their constituents; a sacrifice as great as men of high honour and generous feeling can well be called upon to make. I am quite sure that my noble friend will agree with me in my estimate of that sacrifice. I am persuaded, however, that the generous and deliberate reason of the people of Ireland will reward the hon. members to whom I allude by redoubled confidence. The three measures which have been submitted to Parliament by his majesty's government are inseparable parts of an attempt to pacify Ireland, and to introduce into that country a civil, a legal, and, if possible, a free government—a government which it has never hitherto practically enjoyed—the possibility of its obtaining which is now greater than ever, and every moment of the delay of which will render more impossible of attainment. Sir, I repeat, that I consider the three measures which have been introduced by his majesty's ministers, in pursuance of the recommendation from the Throne, as inseparable, and that a blow at one of them

would endanger the downfall of the whole. Under these circumstances I cannot hesitate to vote for the bill which is under our consideration. I confess I have arrived at this conclusion through a long course of perplexity and doubt, and not without many deep and painful regrets. But, having deliberately balanced the good against the evil, the former appears to me so greatly to preponderate, that whatever pain it may have cost me to come to the resolution of supporting this bill, I will support it, and will henceforward think and speak no more of the reasons which have rendered that determination difficult :—"Vestigia nulla retrorsum."—Sir, we have been told of Protestant Jesuits. I believe there are Jesuits in all communities and sects in the world,—but we have been told of Protestant Jesuits, who are prepared to do evil that good may come of it. If it be asserted, that moral evil may be done that good may come of it, I am most ready to acknowledge that no principle can be more execrable. It is a principle which I believe has never been avowed by any body of Jesuits, or by any other body out of Bedlam. But if, in questions of civil policy, we are obtaining the larger good by committing the smaller evil, the question assumes a very different character; for seldom, indeed, is it with reference to such questions that we have anything but a choice of evils. Whatever defects, therefore, I may consider to exist in this part of the measure proposed by his majesty's government for the tranquillization of Ireland, I am willing to adopt it, in the prospect of the great benefits which the adoption of the whole of that measure must produce, in pacifying that country, and establishing obedience to the laws, where no obedience has hitherto been paid to them.—Sir, it is singular that any opposition should be made to this particular bill. Any man who judged from first appearances would have concluded, that all parties in this House would concur in its support; though undoubtedly on different grounds. In the first place, it was to be expected that the hon. members for Ireland would support it, because it is the very measure prayed for in the Protestant petitions from Ireland; and because they could not oppose it, without cutting from under their feet the ground on which they have so strongly recommended an acquiescence, in those petitions to this House. Sir, it is the first time that I have heard

the principle inculcated, that a blind acquiescence in the opinions of the petitions presented to it, was the bounden duty of the House of Commons. That is a doctrine which has been treated with scorn by all who have duly considered the British constitution as having no foundation either in law or in practice, as being inconsistent with reason and common sense, as taking away all the uses of the representative system, as converting the members of the House of Commons into the deputies of small confederated democracies, instead of being the free representatives of a great people, and as re-introducing all those evils which were the curse of antiquity, but to which the wisdom of subsequent periods applied a remedy.—If, Sir, I am justified in saying, that it might have been expected that the bill under our consideration would receive the support of those who have presented and advocated the petitions against the Catholic claims, it must be unnecessary for me to add, that it was to be expected that it would receive the support of those who advocated the measures introduced by his majesty's government. If I look at my honourable friends around me, who voted for the measure of 1825, I see those whose concurrence in the present bill was also to be calculated upon. I allow that there are, with reference to this measure, differences of opinion, such as must ever exist on all questions of an abstract description. But as to the text quoted from chief justice Holt and other legal authorities, with respect to freehold rights, I maintain that those texts apply as much prospectively as they do to an immediate deprivation of freeholders of their existing rights. I am far from saying that there is no difference in practical hardship, between the present measure and the measure of 1825. But it is vain to proceed on an abstract principle, without following it through all its consequences; and if you do not do so, you must admit, that the right of freehold is ever entire and inviolable, and can in no case be invaded. You must go back to the doctrine of major Cartwright, the advocate of universal suffrage,—a most pure and virtuous man,—and you must hold, that the statute of Henry the Sixth, which established the freehold system, is the grand evil of the constitution, which must be abolished before justice can be done to the people. Still I allow that, as compared with the measure of 1825, the

present measure is one of harshness; and that it is one of those tough morsels which I have been scarcely able to swallow. But then, again, the chance of success on the present occasion, appears to me as much greater than it was in 1825, as the present measure is harsher than the measure of 1825. And what success? Redemption for Ireland, safety for the British empire, and the union of all classes of his majesty's subjects are within sight, and, if there be faith in man, within reach.—With regard, Sir, to those who hold, that the Protestant religion is endangered by the measures now in progress, I can only say, that I am as warmly attached to the Protestant religion as any man—that I do not expect that they can divest themselves of their apprehensions at the present moment, but that I confidently look forward to the period, when they will wonder at their temporary delusion, and congratulate themselves on their defeat. On that subject I perfectly concur with my hon. friend, the member for Inverness; and I assent to every syllable which fell from my hon. friend yesterday evening. Sir, three weeks ago, and more, there appeared in this House a noble concurrence, on the part of all those who pledged themselves to support a conciliatory system towards Ireland—a concurrence which presented an impenetrable line extending over the whole House, and which no influence or authority could pierce. This was an iron wall which it appeared to be somewhat rash for any power to attempt to encounter. Nothing has since occurred to occasion any doubt of the firmness and stability of that union. For my own part, I consider it as secure and unalterable as it was on its formation; and under that conviction, and that alone, I am sanguine of the success of the measures which are in progress. It was soon after the manifestation of that union, that my hon. and learned friend, the member for Winchelsea, made that weighty declaration, to every syllable of which I most cordially assent; and I shall always be ready to contribute my feeble, but earnest endeavours, to carry to a triumphant termination this attempt to introduce an equality of civil rights into Ireland, and to establish a wise government in that country.

Lord George Bentinck said, he had attended to all that had been advanced upon the subject, but he had not yet heard any satisfactory reasons why the measure for

the relief of the Catholics could not be carried without the addition of the one now before the House. He gave the right hon. Secretary for the home department every credit for not proceeding on light grounds in the introduction of a measure which proposed to take away the liberties of four hundred thousand of his majesty's subjects, as secured to them by *Magna Charta*; but those grounds were yet to be explained. For his own part, though no member of that House felt more warmly towards the Catholic cause than he did, still he could not consent to support the bill under consideration. He would openly avow—and perhaps he should be solitary in that avowal—that rather than sacrifice men by robbing them of their birthright—rather than deprive a large body of his majesty's subjects of their liberties, rights, and franchises—he would risk the whole, and take his chance of gaining the other measure. Such an act he could not but consider as one of the most flagrant injustice and unwarrantable spoliation.

Lord *Howick* said, he was aware that the right hon. Secretary and the noble duke at the head of the government, had undertaken no ordinary task, in resolving to put an end to all religious distinctions of sects, and thus save the public from innumerable evils, whilst they were diffusing the greatest source of peace and happiness throughout all the relations of society. He had seen enough within that House, and had heard enough out of doors, to be convinced, that the difficulties they had had to encounter were very serious; but he was happy in the reflection, that the benefits to the country would be commensurate, and that both the right hon. gentleman and the noble duke would reap their reward in the gratitude of the present, and in the admiration of future ages. He thought the measures of government so complete and generous, that he could not withhold from them his confidence. With respect to the measure immediately before the House, he was disposed to support the bill on its own merits, as well as in its relation to the general measure; but there were parts of it, which he thought might be altered with advantage. He objected to the machinery by which the bill was to be enforced. The agents of great estates would do their duty in seeing the franchises on the property of their masters duly registered; but this would be neglected by single ten-pound freeholders. Many

votes were lost in England by faulty assessments, and by the neglect of entries respecting the land tax. In the present bill, no effectual provision was made against fictitious and fraudulent votes. The registry of votes was not in itself conclusive, and the proposed scrutiny would be found practically inoperative, whilst the duty assigned to the assistant barrister was insufficient. These objections, however, could be removed only by altering the essential nature of the bill. Neither in England nor in any country, had there ever been found a defence against perjury, when oaths were opposed to the interests and passions of the people. The question was, whether the freehold qualification was the best adapted for discovering those who were most fit to exercise the important privilege of returning members to parliament. The legal definition of a freehold seemed to have been contrived for the purposes of favouring fraud and of creating doubts and litigation. Nothing could be more absurd and ridiculous, than that a lease for life, determinable perhaps at the death of an old person, should convey a right not conveyed by leases of a longer term to run. If the freehold qualification were the test of the right of voting, why was not that right attached to copyholds? Why were these points not entered into, now that government were making alterations in the law? He did not think that the present curtailment of the franchise would restrain the real expression of popular feeling in Ireland. The right hon. gentleman in bringing forward this measure, had been actuated by a sincere desire to give full effect to this popular feeling, and he had no desire whatever to punish the forty-shilling freeholders for the manner in which they had exercised their right of franchise. He doubted, however, if the right hon. gentleman would have credit for these motives, from those who saw that his measure was partial and incomplete, and who felt that it deprived them of old rights, without conferring any new. From the advance of wealth and civilization in this country, large classes of persons did not enjoy the elective franchise, who ought to enjoy it. The elective franchise in Ireland was not in the state in which it ought to be; although he by no means thought that giving the franchise to the lowest orders of the community was the right way to add weight to the popular voice. He dif-

ferred with much that had been said upon expediency; for he conceived expediency to be an enlarged view of what was best calculated to promote the happiness of the community; and this expediency had been properly applied in the present instance.

Sir Robert Wilson said, he regretted extremely that the hon. member for Kilkenny had thrown the shell into their ranks, but no man in that House, who was the friend of civil liberty, would wish that its explosion should be disastrous to the great measure before parliament. That measure had for its object the termination of long-standing schisms. It had for its object the saving of the country from the evils of civil war, the putting an end to rival ambitions, and the diminution of the burthens of the people. It had for its object the increase of the wealth of the empire, and the invigoration of its strength. He was aware that such great benefits were not to be obtained without some sacrifices. The House had to deal with exaggerated pretensions, to which some concessions must be made. There could be no perfect benefit—no unalloyed good. He was always satisfied with a preponderance of benefit, and never expected a boon without some sacrifice. The first sacrifice which the House had been called upon to make, was the reposing of uncontrollable power in the hands of the lord lieutenant of Ireland. This had been granted in the confidence that it would be used for pacification, and not employed to harass, insult, or oppress. He had admired the proceedings of the Catholic Association, and most of all, he admired their self-dissolution at the first prospect of the improvement of Ireland. But the Association had been sacrificed, because the opposition party had recommended the principal of mutual concession. The opposition benches were now called upon to make sacrifices; and he for one would not shrink from the duty. He knew that many of the friends of civil and religious liberty, out of the House, had assented to the concession of extinguishing the forty-shilling freeholders, if it was to be the price of the general measure. What was the return for this sacrifice? The equivalent was to restore the dominion of the law in Ireland, and to put an end to the system which had so long destroyed that country—the system of tyrannical and arbitrary intolerance.—Some

gentlemen had talked lightly of the evils which Ireland had suffered in 1798, but they had done so not in wantonness and wickedness, but in ignorance. He had been a witness of those evils; and he or any man who knew what they were, would be a savage, if he could anticipate their recurrence without horror. The House had always been told, that the sacrifice of the forty-shilling freeholders was the best security of the Protestant church; and now they were willing to vote for that sacrifice, they were told it was no security at all. He had always considered that the best security of the Protestant church was in the soundness of its doctrines, and in the merits of its ministers. One security against popery was to be found in a free press, and in the representative system. These securities had proved to be sufficient in other countries, and without referring to America, he might cite the example of France. If this was to be the last public act of his life, he assured the House that he would cheerfully close it in favour of a measure calculated to bring about the pacification of Ireland.

Lord Althorp and Mr. Trant rose amidst loud cries of "lord Althorp, lord Althorp!" The noble lord, however, instantly gave way, and

Mr. Trant proceeded to address the House, amidst the cries of "oh, oh!" and "spoke, spoke!" He said, he was decidedly opposed to the proposed disfranchisement of the forty-shilling freeholders, because he felt convinced that the measure, instead of bringing about, would altogether destroy, the tranquillity of Ireland [cries of "oh, oh!" with coughing]. The hon. member, looking up toward the gallery, expressed a hope, that the proceedings then going on would go forth to the country as a warning, that upon this subject only persons who spoke upon one side of the question could expect a hearing.

Lord Althorp expressed his regret at having heard the arguments of the noble lord opposite, in opposition to the proposed measure. Much had been said about the course taken by the hon. member for the county of Waterford, but the grounds upon which that hon. member gave his support to the bill were totally distinct from those upon which other hon. members acted. The hon. member for the county of Waterford had been returned by Catholic constituents, consist-

ing mainly of forty-shilling freeholders; but he supported the proposed measure, solely because he felt that it would conduce greatly to the more important measure, which he was anxious to secure for the relief and tranquillity of his country [hear]. He would shortly state the ground upon which he meant to give his support to the bill; and that was the aid it would afford to the other bill. They had been told, that this measure had no necessary connection with the measure granting Catholic emancipation. That might be; but the House had the opinion of the right hon. Secretary for the home department to the contrary. He had been for a long time opposed in politics to the right hon. Secretary, but never had he heard from that right hon. gentleman an opinion which could lead him to suppose that the right hon. gentleman was not sincere. The right hon. gentleman had told the House, that the two measures were connected. Was it impossible, in the existing state of things, and the peculiar state of Ireland, that such should be the case? He confessed he did not clearly see the necessary connection between the two measures; but the right hon. Secretary had asserted, that such connection did exist, and he was bound to credit that statement. These measures would, he believed, be beneficial to both classes of society in Ireland—he meant the forty-shilling freeholders and the higher classes. Let any man look to the present state of the Irish population. They consisted of two classes; one a proscribed, an outcast body—the other a tyrannical and powerful body; but the proposed measures would amalgamate and equalise both. The instruction proposed by the noble lord, would undoubtedly be an improvement; but it would entirely alter the condition of the bill: and therefore, on the same ground that he gave his support to the right hon. Secretary, he must oppose this instruction.

Mr. Secretary Peel and Mr. Tuite having risen at the same time, the calls for Mr. Peel were loud and general. The right hon. gentleman, however, gave way to

Mr. Tuite, who said, that he was anxious to state to the House a communication which he had received from the county he had the honour to represent, expressive of the satisfaction felt by his constituents at the measures now before

the House. A meeting had been held in the county of Westmeath, which was attended by Catholics and Protestants. The meeting expressed the high sense of gratitude and satisfaction, with which they viewed the measures brought forward by his majesty's ministers. Although they regretted the alteration to be made in the elective franchise, still, coupling it with the other measure, they considered that the two united would produce the most beneficial effects; and that it would be impolitic and ungrateful in them to risk the whole by opposing a part of the measure. The writer added, that he was further instructed to say, that the meeting expressed their unqualified thanks to his majesty's ministers, especially to the duke of Wellington and to the right hon. Secretary for the home department, for the great blessings which the measure they had brought forward would confer upon the country. The letter was signed, "C. Arabin, on the part of the meeting." The meeting had been attended by the most respectable Protestants as well as Catholics, including the 50*l.*, the 20*l.*, and the forty-shilling freeholders, in the country. All were unanimous in agreeing to the measure. He thought the county of Westmeath afforded a good criterion of the general feeling of the Catholics of Ireland.

Mr. Secretary Peel rejoiced, that he had given way to the hon. member, for no speech could contain so conclusive an argument in favour of the measure. Here was the hon. gentleman, the member for Westmeath, returned in a manner as popular as the hon. member for Waterford, or for Clare, instructed by his constituents to acquiesce in the general measure, and told that they were prepared to make the concession required. This feeling was not confined to Westmeath. He believed that most, not of the Roman Catholic priesthood merely, but of the Roman Catholic gentry, entertained the same as to this measure, and that it was the wish of the great body of the constituents themselves. They had been told that it was wrong to take advantage of the enthusiasm which at that moment pervaded the Irish people. He did not believe that such enthusiasm did prevail; on the contrary, he thought that their determination was the result of calm and deliberate conviction. The Irish forty-shilling freeholders held the elective fran-

chise as invaluable, so long as it afforded them the means of seeking the other more important measure of emancipation; but now that that measure was within their reach, they were ready to sacrifice the minor privilege for its attainment. As to the feelings of the Protestants of Ireland, he thought they were in favour of the measure; and, if a doubt existed on the subject, he, arguing *à priori* would refer to the feelings expressed in Ireland upon the subject within the last fortnight, as well by Protestants as Roman Catholics. With respect to the proposition of the noble lord, for rendering the measure prospective, he thought it had a tendency to take away the security of the measure altogether, and therefore he could not give his consent to it. In regard to the arguments of the noble lord opposite, that the bill would lessen the inclination of the 10*l.* and 20*l.* freeholders to register, the effect, as it appeared to him, would be precisely the contrary. At present, the 10*l.* and 20*l.* votes went for nothing: they were overruled by the vast majority of the forty-shilling voters; but take away the latter, and you gave the former an influential voice. In a county in Ireland, in which there were twenty thousand registered forty-shilling voters, he had been assured, by an authority competent to give an accurate account, that out of that number there had been only two registered on their own account. Therefore he contended, that the raising the qualification to 10*l.* would increase the disposition to register.—With respect to the application of the principle of the bill to the forty-shilling freeholders of this country, he thought it would open too wide a field of discussion. Those freeholds were established in feudal times, and it might not be proper to interfere with them. At all events, whatever might be his opinion of the propriety of such a measure, it was one which should be considered on its own basis, and without reference to the measure with which the present bill was connected.—The most important observation which had been made with respect to this measure, was that which suggested the propriety of excepting from the operation of the bill forty-shilling freeholds in fee simple. Now, of this he had the strongest doubts. The law made no distinction between the vote of the freeholder in fee, and that of the freeholder of any other class. But

suppose he found that the effect of such an exception would be to disfranchise most of the Catholic forty-shilling freeholders, whilst it left many Protestants untouched, would he not be exposed, and justly, to a charge of partiality? He held in his hand the register of the forty-shilling freeholders of Ireland, and looking at that Catholic county, Waterford, he found that out of two thousand one hundred and nineteen forty-shilling freeholders, not one was registered from estates in fee; and in another county, out of eight thousand one hundred and eighty-four voters, only one hundred and twenty-seven were from estates in fee; so that if it should appear, as was he believed the fact, that nine out of ten of the forty-shilling voters in fee were Protestants, he should be justly exposed to a charge of partiality if he made that kind of tenure an exception to the bill. Under these circumstances, he could not adopt the suggestion, but, in that respect, would leave the bill as it was.—It might be proper for him now to state what was the course he intended to pursue in the committee. He intended to commit the bill *pro forma*, and then to add the amendments, technical and otherwise, which he proposed. Those amendments were of a nature rather to extend than to limit the exercise of the elective franchise. At present, the right of voting from freeholds was limited to those who had “a legal title,”—thus excluding those who might be equally possessed of the right by an equitable title,—he would therefore omit the words “legal title.” As the bill now stood, it was said that the freehold should be “free from all incumbrances.” Now this, in Ireland, where judgment-debts affected real property, might tend to make inconvenient disclosures, he purposed, therefore, to omit those words “free from all incumbrances,” and to let the bill stand, “a freehold clear of parochial and other assessments.” Another alteration he intended was, to allow an appeal where the value of the freehold was disputed, and where the case was decided by the assistant-barrister—not to the same barrister and a jury, but to a jury presided over by a judge of assize. These were the principal alterations, which, with some of a technical nature, he proposed to have inserted in the bill.

The House divided: for the instruction, 20; against it, 220. Majority 200.

The House then went into the committee.

List of the Minority.

Banks, H.	Pelham, C.
Dickinson, W.	Palmerston, viscount
Dawson, A.	Palk, sir L.
Fitzgibbon, hon. R.	Scott, sir W.
Fane, J.	Trant, W. H.
Gratton, H.	Uxbridge, earl of
Hotham, lord	Webb, colonel
Lennox, lord G.	Westenra, hon. H. R.
Lennard, T. B.	Warrender, sir G.
Milton, viscount	TELLERS.
Mandeville, lord	Duncannon, viscount
O'Neil, hon. J.	Bentinck, lord G.

HOUSE OF COMMONS.

Monday, March 23.

ROMAN CATHOLIC RELIEF BILL.]

The House resolved itself into a committee on this bill. On the clause declaring the eligibility of Roman Catholics to civil offices, and to seats in parliament, being read,

Mr. *Banks* said, he rose for the purpose of proposing as an amendment to the preamble, that after the word "subscribed" the words "as a qualification for sitting and voting in parliament, and for the exercise or enjoyment of any office, franchise, or civil right," should be left out. His main object had always been to prevent the admission of the Catholics into the two Houses of parliament. What he wished was, that the bill should specifically state such offices as the Roman Catholics should have power of holding. If they were once to be let into parliament, in his opinion, all other securities would immediately become nugatory: nor could he conceive how it would be possible for the Protestant church establishment in Ireland to stand long against such a combination of Roman Catholic interest, joined to those other interests which were adverse to the church of Ireland. The arguments of the present lord chancellor, when master of the Rolls, were so strong and potent on this subject, that he felt he could add nothing to them. If the Roman Catholics once got into parliament, what was there to induce them to depart from the principles of their own church? And that church, be it remembered, was the most intolerant of all churches.

Mr. *Moore*, in rising to second the amendment of his hon. friend, would not go over the ground that had been already

so ably pursued, but he felt it his duty to offer a few general remarks, with a view to state his strong objections to that part of the measure which went to admit Catholics into either House of parliament. He would not follow his hon. friend, in declaring his satisfaction at their admission to other offices; for he would contend, that we could not with safety admit them into any office, by virtue of which office they would partake of political power. In arguing, however, against the expediency of admitting Roman Catholics into parliament, he would confine his observations to the practical results of such a measure; and he would oppose the proposition of the right hon. gentleman upon the grounds he had himself stated; namely, that the time had arrived when we could with more safety admit the Catholics to parliament, than keep them out. Now, with reference to such a position, the first step which ought to be taken was, to ascertain in what the danger consisted; and this, he thought, could be best ascertained by a calm inquiry, as to the objects held in view by the Roman Catholics in seeking admission to parliament. The next inquiry would be, as to the prosecution of those objects when in parliament; and the next, as to the extent of their power under those circumstances. Now, the first proposition could not be denied. That the Roman Catholic church had ulterior objects, could not be for a moment questioned; nor could it be denied, that they desired to exalt their own church, and to degrade the Protestant church as a church establishment. He had seen so many proofs of their desire manifested upon so many occasions, both by the clergy and laity of that church, that no doubt could remain of its existence. Nay, one of the greatest authorities of their church had given his testimony, that Catholic emancipation was but a step to the attainment of other objects. When he saw, then, such authorities holding up the established church of these kingdoms as a subject for execration—as an institution which must sooner or later fall—could he entertain any doubt as to the directions of those ulterior objects? It should be remembered, also, that those sentiments were not declared in the heat of debate, or amid the excitation incident to a discussion, but deliberately uttered and deliberately repeated—repeated from one end of Ireland to the other. Was he, then, to suppose, that if

the Roman Catholic church obtained the power they desired, that they would not use it? Would it be denied that the Roman Catholic church had the power, if they chose to exercise it, of sending a number of persons to parliament as the representatives of that church? He would not say, that every Roman Catholic who came into parliament would be so circumstanced, for doubtless many of them would be desirous of promoting the true interests of the country, without any reference to the interests of that church; but he would say, that, when once an opening was made for the admission of Roman Catholics to parliament, the natural result would be, that the members so admitted would use every effort to accomplish the objects he had stated. He would put it to the right hon. Secretary, whether, in a contest with such a party, much would not be lost to the constitutional party of the country—[hear]—that party which was attached to the king and the constitution. Could any person say, that the introduction of such a party, with peculiar objects, and with a desire to press those objects by every possible means, would not be detrimental to the sound principle by which a government ought to be regulated?—There was also another consideration involved in this question. Such a party might have ample means of thwarting any constitutional measure that might be brought forward in that House. There were many ways in which this might be accomplished; even upon the simple question of adjournment, a party might worry the House, and annoy his majesty's government [hear, hear]. If by the word "hear" it was meant that any such proceedings had been adopted by those members who were at present in opposition to government, he would say that such an insinuation was utterly groundless. Such means had never been resorted to by them. On one or two occasions it had been stated, that the people had not been sufficiently heard—that they had not been allowed time to declare their sentiments; and there was a division upon this point. But with that division he, and those with whom he had acted, had been satisfied. That such a power, however, did exist, was certain; for it had been exercised. He would, therefore, say, that, if the Catholics were admitted to political power, they would be admitted to an influence which must in time destroy the constitution.

Mr. Secretary *Peel* commenced by expressing his admiration of the good temper and moderation with which the two hon. gentlemen had advanced the arguments adduced in support of the course which they recommended for the adoption of the House. The force of those arguments would lose none of their power, from the moderation with which they were urged. The main point contended for in the speeches of both speakers was, that some danger was to be apprehended from the admission of Roman Catholics to seats in that House. Now, he admitted, and always had admitted, that some danger was to be apprehended. He was still of that opinion; but the question was, whether, on a comparison of dangers, greater danger was not to be dreaded from excluding Roman Catholics from that House, than from admitting them to it? Would it not be a greater source of danger, that this leading and essential part of the measure of relief should be withheld, if Roman Catholics were to be admitted to an equality of civil privileges in other respects, than that seats in parliament should be conceded to them? If all other civil disabilities were removed, and the disqualification to sit in parliament were only retained, the measure of relief would, in the first instance, be ineffectual to give content to those for whose benefit the measure was intended; and, secondly, the privileges which they would obtain would only render them more anxious, and invest them with increased means and additional power, for the attainment of the object from which they were debarred. The hon. member for Dorsetshire had placed the argument precisely on the same basis—namely, that there was such a union between the clergy and laity of the Catholic body, and that the laity were so devoted to the views and purposes of the clergy, that, when admitted to that House, they would endeavour to give effect to the ulterior objects of the clergy. Now, this union in Ireland, he believed to exist, in consequence of the disqualification and exclusion under which the laity and clergy suffered. They were bound together by a community of common grievances; and when that bond, cemented by disqualifying laws, should be dissolved, there was every reason to expect, from the state of society in other countries, that the same alliance would not subsist. Looking to France and the Netherlands, where an

equality of civil rights prevailed, they did not see that close alliance and attachment subsisting between the laity and clergy that existed in Ireland. This shewed at least, that this community of interest and feeling between the laity and clergy formed no principle of the Roman Catholic religion; and it was a fair ground of expectation to presume, that the same cause—equality of civil rights—would produce a corresponding effect in Ireland, and dissolve the intimate union at present subsisting between these two classes in that country. He was at a loss to perceive how some hon. members could alone see danger in the admission of Roman Catholics to seats in that House, and could see no danger in the repeated declarations of Protestant majorities of that House, during the last sixteen years, in favour of Roman Catholics. Was there no danger to be seen in four out of five successive parliaments deciding in favour of relief—in pointing out the grievances under which Roman Catholics suffered—in creating a sympathy on their behalf—in exciting their hopes, and keeping alive the excitements which those hopes and the constant discussion of their claims created? He was at a loss to perceive how hon. gentlemen could be alive to the power which the introduction of a few Roman Catholic members into that House would confer, and insensible to the great and material power which they enjoyed (of which that House had had recent experience) by the elective franchise; which, as it was under the control of spiritual influence, that influence would be greatly diminished by the proposed regulation of the elective qualification; and he would ask hon. gentlemen fairly to consider, whether that regulation could be effectively established, if not accompanied by the measure of concession?—He would here again refer to what had fallen from the hon. member for the University of Oxford, that twenty-three counties in Ireland were ready to imitate the example of the county of Clare. Now, if such were the state of society and of feeling throughout Ireland, what advantage could be expected from Ireland, if a general election were to take place, by those who were opposed to the measure of concession? Besides, hon. gentlemen who had such an anxiety for the preservation of the interests of the church, should consider, that it was not necessary that mem-

bers returned to parliament should be in communion with the church of England. All that was necessary was, that the member returned to parliament should abjure the tenets of the church of Rome. This was all that was required; and, provided they abjured those tenets, there might be sent to that House as bitter enemies to the church of England as any Catholics could be. He saw greater danger in this state of things than in the proposed change; for, after all, he admitted, that it was a compromise of dangers, and the adoption of that course which was less dangerous than a perseverance in the present system. —After re-asserting, that the change in the elective qualification could not be made without the measure of relief, and that the Roman Catholics would be less objects of apprehension when their grievances were removed, the right hon. gentleman proceeded to advert to the argument of his hon. friend, the member for Dublin, as to the danger that would result from a small party of Catholics acting as a compact and united body for the attainment of objects peculiar to themselves. Without undertaking to determine what might be the effect of such a small party acting in such a way—of which, however, he did not entertain the same apprehension as his hon. friend—of this he was sure, that if any body of Roman Catholics should attempt to advance their peculiar interests, and to give them a preference over the general interests of the country, from the feelings which were now described to exist, they would be met by a resistance, which must effectually defeat such an attempt. His hon. friend had referred to the period of the French war, to shew what might be effected by a small party in that House, in the way of thwarting the measures of the government. He did not think that his hon. friend had been very happy in making that reference; for if he recollected rightly, Mr. Wilberforce, in 1794, brought forward a proposal for negotiating a peace with the French Republic, but it was quite ineffectual; for the war continued from that period up to 1803. He had no doubt but this measure would tend to establish the happiness and tranquillity of the country, and he trusted that none of those dangers which some honourable members apprehended from the admission of Roman Catholics to seats in parliament, would ever arise. It was not to be forgotten, that similar predictions of

danger had been made at the period of the repeal of the Sacramental Test; and he would only ask, had they been fulfilled? Similar forebodings had been uttered at the period of the Union with Scotland. It was then said, that forty-five Presbyterian members would enter that House; that they would have their own peculiar views and interests to consult and advance; that their feelings would be uniformly adverse to the interests of the Protestant institutions of the country; and that they would act together in a combined body for the promotion of their own objects. What was the result? These members had taken their places—some on the ministerial, and others on the opposition side of the House—and they had been guided in their votes upon measures affecting the interests of the Protestant church, as well as upon all other public measures, by the opinion of the party to whom they had attached themselves; and thus were all the predictions, as to the dangers to be apprehended from their introduction completely falsified. The same, he was convinced, would be the case with the Roman Catholics. The great danger to be apprehended was, not from the admission of the Roman Catholics, but from their exclusion. He would adhere to the provision which was objected to by the hon. members, as he was certain that the measure would give no satisfaction to the Roman Catholics. It was of all others calculated to satisfy the Catholics, and to promote the great object of this bill—the establishment of the tranquillity and happiness of the country.

Mr. *Trant* said, that the parallel which the right hon. gentleman had attempted to draw between Ireland and France and the Netherlands was not correct; for, in the latter countries, the Catholic religion was established and the clergy were paid by, and under the control of, the state; but in Ireland, even under the bill brought forward by the right hon. gentleman, there would be no provision for the Catholic clergy, and they would still continue unconnected with the state. He was sure that when Roman Catholics were admitted to parliament, they would return thorough-paced Catholic representatives, who would use all their efforts to promote the interests of their religion. The right hon. gentleman said, that they could not safely stand the danger of a general election in Ireland, under existing circumstances. He had known a good deal of Ireland

some years ago, and from all he had heard since, he was convinced that but a little firmness would carry us through the experiment. As to the number of Catholics that would be sent to parliament, the right hon. gentleman did not appear to entertain any apprehensions. Now, in the discussion of the bill in 1825, lord Plunkett, while he said that he did not think there was any thing to be apprehended from the number of Catholics who would be sent to parliament, added his willingness, with a view to satisfy the objections of others, that the number should be limited to twenty-five. It was to be recollected too, that there were Catholics in England, and that they would purchase boroughs, and by that means obtain influence in that House. The best way to avoid the danger was, not to let the Catholics in. The council of Constance had declared that no faith should be kept with heretics. That decree had never been revoked; and as long as it existed, how could they depend on the oaths of Roman Catholics? He should strenuously oppose the bill, because he felt that they could have no real security, except in the exclusion of Roman Catholics from seats in parliament.

Colonel *Lindsay* expressed his determination to vote for the clause now under consideration, because he felt convinced, that the Protestant establishment would be placed, by the provisions of this bill, in a much safer condition than that in which it stood at present.

The committee divided: For the amendment 84; For the original clause 207; Majority 123.

List of the Minority.

Archdall, M.	Curteis, E. J.
Ashurst, W. H.	Cust, hon. E.
Astell, W.	Dawkins, H.
Astley, sir J. D.	Domville, sir C.
Banks, H.	Dugdale, D. S.
Bankes, G.	Duncombe, hon. W.
Bastard, E. P.	Dundas, R. A.
Bastard, John	Estcourt, T. G. B.
Batley, C. H.	Estcourt, T. H. S. B.
Blandford, marquiss of	Fellowes, W. H.
Bright, H.	Fetherston, sir G.
Borradaile, R.	Fyler, T. B.
Brydges, sir J.	Gascoyne, I.
Capel, John	Gooch, sir T. S.
Chichester, sir A.	Gordon, John
Cole, hon. A.	Greene, T.
Cooper, R. B.	Gye, F.
Cooper, E. S.	Handcock, R.
Cotterell, sir J. G.	Hastings, sir C.

Hodson, J. A.
 Hotham, lord
 Holdsworth, A. H.
 Inglis, sir R. H.
 Keck, G. A. L.
 King, sir J. D.
 King, hon. H.
 Knatchbull, sir E.
 Lott, H. J.
 Mackinnon, C.
 Macleod, J. N.
 Manners, lord R.
 Moore, G.
 Miles, P. J.
 Mundy, F.
 Mundy, G.
 Nicholl, rt. hon. sir J.
 O'Neill, hon. J. R. B.
 O'Neill, A.
 Palk, sir L.
 Pallmer, C. N.
 Peach, N. W.
 Peachy, W.
 Pelham, J. C.
 Pennant, G. H. D.
 Petit, L. H.
 Powell, W. E.
 Powell, A.
 Price, R.
 Rickford, W.
 Rochfort, G.
 Rose, rt. hon. sir G.
 Rose, G. P.
 Scott, S.

Sibthorp, C. D. W.
 Sadler, M. T.
 Shirley, E. J.
 Smyth, sir G. H.
 Sotheron, F.
 Taylor, G. W.
 Trant, W. H.
 Tudway, J. P.
 Tullamore, lord
 Vyvyan, sir R. R.
 Wetherell, sir C.
 Williams, R.
 Wilson, R. F.
 Wilson, James
 Wynne, Owen.

TELLER.

Chandos, marquis of
 PAIRED OFF.
 Arkwright, R.
 Belfast, earl of
 Bell, M.
 Cecil, lord T.
 Davenport, D.
 Dick, Quintin
 Evans, admiral
 Harvey, sir E.
 Houldsworth, T.
 Lowther, hon. H. C.
 Manners, lord C.
 Meynell, H.
 Peel, Colonel
 Trevor, hon. G. R.
 Townshend, lord J.
 West, F. R.

Mr. Lockhart wished to know, whether it was not possible, under this clause, for Roman Catholic clergymen to sit in that House? They must all recollect what occurred some twenty years ago, when Mr. Horne Tooke was elected to a seat in the House of Commons. It was at that time stated, that, neither conformably with the ecclesiastical law, nor the law of parliament, he could retain his seat. One party maintained, that the character of a clergyman was indelible, and that Mr. Tooke having been a clergyman, was ineligible for a seat in parliament: whilst others rested on the general law of parliament, and argued, that, under the law, he must be excluded. It seemed, however, that the House did not rely on either of these positions. It was felt, on all sides, that the law of parliament ought to be rendered perfectly clear on this subject; and therefore it was distinctly declared, that persons in holy orders should not sit in parliament. Now, Roman Catholic clergymen were not *de facto* noticed in that proceeding, and he wished to know, whether under this bill, they might not enter parliament. He had heard that a

person ordained by the See of Rome, if he became a Protestant, would be allowed to officiate, without any fresh ordination. He could not say what weight ought to be attached to it; but he was certain of this—that it was a position which he had never heard ratified by the general law of the land, or by any special act of parliament; and therefore he conceived, that some more decided exposition of the law ought to be promulgated, before they passed a bill which might enable persons to sit in that House who were never contemplated by the legislature. He was anxious to know, whether his majesty's law officers had taken into their serious consideration this particular point.

Mr. Secretary Peel said, he thought he could give his hon. friend complete satisfaction on the point to which he had very properly called the attention of the House. The 41st of the late king provided, that no person in holy orders should be qualified to sit or vote in that House; and he believed the general impression of the lawyers was, that that enactment was sufficient to apply to the Roman Catholic clergymen. But at the end of that act of parliament, it was directed, that a certain description of *prima facie* evidence was to be given as to the person being in holy orders; which evidence was, that the individual had officiated according to the rites of the church of England or Scotland. Now, a doubt might exist, which he wished to remove, as to whether that provision extended to Roman Catholic priests. No person could contend that it would be just or fair that a Catholic priest should be placed in a better situation than a Protestant clergyman; and therefore he had provided, by a clause which he held in his hand, that no person having taken holy orders in the church of Rome should be capable of being elected to sit in parliament. That, with other exceptions, would completely meet the object of his hon. friend. *Bona fide* evidence, that an individual had officiated according to the rites of the church of Rome would be sufficient to exclude him from parliament.

Mr. B. Clarke inquired what was meant to be done, with respect to the spiritual authority of the Pope? It was asserted, that the Pope had no spiritual authority, while the contrary was known to be the fact.

Mr. Peel said, he should be glad if the consideration of this point were

deferred to another occasion. He should then be prepared to answer the hon. gentleman, but he did not wish to retard the measure before the House by entering on so very complicated a question.

Mr. *Moore* said, the clause set forth, that "it shall and may be lawful for any person professing to be a Roman Catholic," &c. Now, he wished to know on what test the right hon. gentleman relied, in order to prove whether persons presenting themselves to be sworn were or were not Roman Catholics. A person who was really a Roman Catholic in secret, though he did not avow it, might come into the House and avoid taking the general oaths, but merely take the single oath which was administered to Protestants. The Declaration being repealed, any person had a right to come into parliament, on taking the only oath that remained; namely, the oath of Supremacy.

Mr. Secretary *Peel* said, if his hon. friend would look at the clause at the top of the third page, he would find a distinct enactment to this effect—that no person professing the Roman Catholic religion shall be capable of sitting or voting in either House of Parliament, without taking the oath hereinbefore stated; and that any person sitting or voting in either House of Parliament, without having first taken and subscribed the said oath, shall be subject to the same penalties, forfeitures, and disabilities, as are by law enacted in the case of persons sitting and voting in either House of Parliament, without taking the oaths, and making the declaration, now required by law to be taken and made. Therefore every person professing the Catholic religion would be compelled to take that oath. But his hon. friend had said, suppose the case of a man secretly holding the Roman Catholic faith, but not professing it. Now, he thought it was rather an extreme case to suppose a Roman Catholic who did not profess his religion. With respect to the words "professing the Roman Catholic religion," he found in every act relating to the Roman Catholics, that they were described in various ways. They were denominated Papists, persons professing the Roman Catholic religion, &c.; and he thought it better, whatever designation he gave them, to adhere to it throughout the bill.

Mr. *Moore* said, he did not object to a uniform designation; what he wanted was

some immediate test, by which a Roman Catholic might be discovered on entering that House, without the necessity of an after investigation into matters of fact.

Mr. *L. Foster* said, that formerly the object was, to exclude the Catholics, whilst their object now was to admit them. Two roads were opened for admission to parliament, either of which the Catholic might take. He might either take that which required the oaths provided in this act to be taken, or he might take that provided for those of other religions, or of no religion, in which case he would have to take the oaths of Supremacy, and Allegiance, and to make the declaration against transubstantiation, but which road he would take depended entirely upon his own conscience.

Mr. *Moore* said, it must be quite clear that they had in view the keeping of the Roman Catholics out of parliament, unless they took the oaths required by this bill. Having, in page 2, acknowledged that they were legislating upon the principle of security, the question was, whether they should deprive the security of a portion of its value, which they would do, if they did not supply an unerring test, to show that a person who did not take this oath was not a Roman Catholic? He could assure his right hon. friend, that nothing had created more litigation in Ireland than persons doing acts which rendered it necessary to ascertain whether they were Catholics or Protestants.

Mr. *S. Bourne* said, that if persons did not come forward as Roman Catholics, they would be obliged to take a stronger oath.

The *Solicitor-general* said, that the table of that House could only be approached by two doors; and if a Catholic came in by taking the oath of Supremacy, it would be by the wrong door, and he would do it at his imminent peril; being then subject to all the disabilities and penalties. He thought it much easier to prove that a man professed the Roman Catholic religion, than that he really believed in it, as profession was an outward act. In that respect he conceived the act would be perfectly safe.

Sir *R. Inglis* suggested an amendment to the clause, for the purpose of more effectually excluding Catholic priests from sitting in parliament.

Mr. *Peel* said, he should have to propose a clause, much more efficient than the amendment of the hon. member. That

clause would incapacitate persons in holy orders of the church of Rome from being elected to parliament; and would also make the election void in any case where a person should, after his election, enter into holy orders.

Sir *R. Inglis* said, there were Catholics who belonged to religious orders who, nevertheless, were not in holy orders of the church of Rome.

Mr. *Wynn* said, that that objection was already fully met by the act, in the clause respecting members of religious orders.

Mr. *Huskisson* said, that the first clause repealed the acts relating to declarations against transubstantiation, and so forth; and yet the next clause said, that an oath set forth in that clause should be taken, instead of those declarations. Now as those declarations were abolished by the first clause, there could be no occasion to mention them in the second. He thought the act would be more clear if these words were omitted in the second clause.

The *Solicitor-general* said, that the only object in repeating the words was, to render the act as clear and explicit as possible. They were certainly not a necessary part of the bill.

Mr. *Peel* said, that if these words were mere surplusage, he had no wish to retain them.

Sir *E. Knatchbull* wished distinctly to know whether the clause for the exclusion of Catholic priests from parliament would extend to the members of religious societies.

Mr. Secretary *Peel* said, that in the clause to be introduced for disqualifying Roman Catholic priests from being members of that House, he intended to propose a provision to the effect, that no Roman Catholic in holy orders should be eligible to a seat in that House, and, if elected, that the said election should be void.

Mr. *H. Grattan* wished for an explanation of these words in the clause—"That from and after the commencement of this act, it shall and may be lawful for any person professing the Roman Catholic religion, being a peer, or who shall, after the commencement of this act, be returned as a member of the House of Commons," and so forth. Was it meant, that a person professing the Roman Catholic religion, who might happen to be returned before the commencement of this act, should be excluded from sitting and voting

in the House? Suppose such a case were to happen, would the individual be excluded from the benefit of the bill? He could not help thinking that the words had been inadvertently introduced; and sure he was, that they were deprecated both in and out of the House.

Mr. Secretary *Peel* said, that the act had a prospective, and not retrospective operation. In such a case as that alluded to by the hon. member, the act would apply only so far as it repealed the declaration against transubstantiation, and to that extent it would make the condition of the Catholic better: but the Catholic so situated must still take the Oath of Supremacy.

Mr. *S. Rice* said, he had been requested—and he begged leave to be distinctly understood, as merely complying with that request when he made the statement—he had been requested to state that, in the contemplation of the bill, if there was any individual Roman Catholic who came within the hypothetical case put by the hon. member, it was the wish of that individual, that his case should be entirely waved, and that the bill should be considered only upon a strict view of the expediency of passing it into a law. The very last thing the individual to whom he alluded could wish was, that in consideration for him or his case, any point should be raised, or any obstacle brought forward, which might impede or prejudice this measure which regarded the general interest of the Roman Catholics [cheers].

Lord *John Russell* contended, that a measure of this nature ought equally to affect those who had been already elected, and those who should hereafter be elected. If not, it might happen that persons would be hereafter disqualified from sitting in that House, while others who laboured under the same disabilities, but who had been previously elected, were allowed to sit. The principle for which he contended had been recognized in the time of Charles 2nd, and the test was applied as well to the existing members of parliament as to those who should be afterwards returned. It appeared to him, that these words were now, for the first time, introduced into a bill, and that they were unnecessary. The right hon. Secretary had said, that the situation of the Catholic would be changed; but it ought to be recollected, that the situation of the House would be much more changed. The

House had, until now, declared that Catholics should not sit and vote, but the House now declared that they might: and would it not be a strange anomaly, when two Catholics came to the table, to say to one of them, "there is one oath for you, because you were elected in May, 1829;" and, to the other, "here is a different oath for you, because you were elected in May, 1828, and are not, therefore, competent, without taking this oath, to discharge legislative duties here?" He argued the question as an abstract point, and without reference to any particular person.

Mr. Secretary *Peel* said, that if there was a case in which a Roman Catholic had said, that he would not take the oaths required by law, and his constituents had nevertheless returned him to parliament, he could see no hardship in depriving the person so returned of the benefit of an act which was not in contemplation at the time of the election. There could be nothing unequitable or unjust, in not extending the provisions of a new law to a case which was said to be a good one under the old law.

Mr. *M. Fitzgerald* could not think that the legislature would extend a penal act by retrospection; and he could not therefore see how any Catholic now elected should be precluded from the benefit of this bill.

Mr. *H. Grattan* said, that these words were evidently interpolated, and he should therefore move that they be left out of the clause.

Lord *Duncannon* said, that after what had fallen from his hon. friend, the member for Dublin, he felt himself compelled to say a few words. He had, at one time, intended to move an amendment respecting these words; but before he did so, he had thought it right to consult the individual more immediately concerned. He had no difficulty in stating, that he had been particularly requested by that gentleman not to propose the amendment. From what he knew of the character of the right hon. gentlemen opposite, and from what was due to the dignity of the House, he was quite sure they would never have consented to the insertion of words, for the mere purpose of excluding an individual. He, therefore, must entreat his hon. friend not to press his amendment. Though he could not say whether the words were or were not necessary in an act of parliament, yet he was convinced,

from the manner in which the right hon. Secretary had conducted himself in bringing forward these measures, that the right hon. gentleman would not have been a party to a measure which, professing a general object, was aimed at a particular one.

Mr. *H. Grattan* said that, after what had fallen from his noble friend, he should not press his amendment.

Mr. *Huskisson* then proposed, that the following words, in the second clause—"instead of making and subscribing the declaration against transubstantiation and the invocation of saints, and the sacrifice of the mass, as practised in the church of Rome," be left out of the bill.

Mr. *Peel* did not object to the amendment. As this declaration was repealed in the first clause, it was certainly not necessary that any mention should be made of it in the second clause.

The amendment was agreed to.

Mr. *Moore* stated, that the Catholic clergy possessed very extensive power, through the means of acts of excommunication. The persons denounced were separated from all their former society; and if in trade, they were ruined, because all custom was withdrawn from them. Some years since, an action was brought by a Roman Catholic against a Catholic ecclesiastic for having excommunicated him, and a verdict was gained, subject to a point of law, that the Catholic ecclesiastic had a right to enforce his spiritual denunciations. The court of King's Bench, however, would not allow that right. There were very few, indeed not one out of a thousand Catholics, who would bring an action against an ecclesiastic for the exercise of such power; and he thought that the Catholic laity ought to be protected by the House.

Mr. *Houldsworth* thought, that if any Catholic should make the proposed declaration sincerely, he would have no objection to put his sincerity to the test; and he therefore proposed, that the Catholic should be obliged to declare, that if, contrary to his belief, the fact should turn out to be, that the pope of Rome, or any other potentate, had temporal power within this realm, he would take measures to counteract its exercise.

Mr. *Peel* said, it would be extremely improper in the House to admit the possibility of the pope having temporal power in this country; besides which, he thought

the security afforded by one individual making such a declaration not of sufficient importance to warrant the adoption of the amendment.

The amendment was withdrawn.

Mr. *Estcourt* moved, that in the clause, "And I do hereby disclaim, disown, and solemnly abjure, any intention to subvert the present church establishment as settled by law within this realm," after the word "subvert," the words, "And I do solemnly swear that I will not, directly or indirectly, attempt to subvert or injure," should be introduced.

Mr. Secretary *Peel* thought the committee would consider it was quite sufficient to abjure any intention to subvert the present church establishment. The oath, in fact, went farther in that particular than any oath which had been heretofore proposed.

Mr. *Wynn* agreed with his right hon. friend, that the amendment could not be introduced into the oath without taking from its effect. He would even prefer the oath if it was shorter. Any man who would not be bound by this oath would not be bound by any.

The committee divided : For the amendment 99 ; Against it 261 : Majority 162. Some other verbal amendments were proposed, and negatived. After which the House resumed, and the chairman reported progress.

HOUSE OF LORDS.

Tuesday, March 24.

COAL TRADE.] The Marquis of *Londonderry*, in rising to put a question to his noble friend, at the head of the government, on the subject of the Coal-trade, assured their lordships that it was not his intention to trespass for more than a very short time on the indulgence of the House. The subject, it was true, was one in which he was personally interested, but it was also one of very considerable interest to the public. The circumstance which induced him to bring the matter to the notice of his noble friend and the House was, that a bill was now in progress before the other House of parliament, by one clause of which his interests, and also those of the public, were likely to be very much affected. His noble friend, when on a visit to the north of England last year, had availed himself of the opportunity of becoming acquainted with the nature, extent, and

great importance of the Coal-trade. What he wished to know from his noble friend was, whether he would consent to the appointment of a committee, to take into consideration the whole state of the Coal-trade, and to ascertain how far the high prices were affected by the taxes and imposts at present levied on coals in the metropolis. If the price of coals were reduced, it would affect not merely the interests of Coal-owners, but those of a much larger class—the consumers. One fact would be sufficient to show the enormous amount of taxes and other charges, to which that article was subjected in London. At the Tyne, coal was delivered from the coal-owners at from 16s. to 18s. per chaldron. To this were added the charge of freight to London, amounting to 10s. per chaldron. Thus making the price at its arrival in the river about 26 or 28s.; but every one of their lordships knew that they could not purchase a chaldron of coals for less than 50s., so that 22s. were added, in consequence of the various imposts to which coal was subjected. This was one reason why he felt it necessary to call their lordships' attention to the subject. In the bill to which he alluded as being now before the other House, the city of London were endeavouring to have a clause to make permanent a former act imposing a duty, but which act would expire in the year 1837. There was one duty of 6d. per chaldron, and another of 4d., which went to what was called the "Orphans' Fund;" but that was charged with the payment of a certain sum. It was strange that a measure of this kind should be smuggled through, in a clause of a private bill. It was a manœuvre which should not be tolerated. He was astonished that the thing could be allowed to go on—as if the government were afraid of the city of London. This clause was introduced into the bill, for making the approaches to the New London-bridge. Now, he would say, that if this was to be considered as a great public or national work, let it be paid for out of the public revenue; or, if there was to be a tax levied for the purpose, why not lay it on wine, or other articles of large consumption in London? Coal was not a luxury. It was an article of the greatest necessity. Why, then, should coals alone be made to bear this burthen? He had already shown their lordships that the various imposts to which coals were

subjected in London, had nearly doubled the price at which they were brought into London. So far their lordships and the public, in and round the metropolis, were interested in the question. He himself, as he had stated, was personally interested; but he spoke not from a view to that interest alone, but from a feeling that the Coal-trade, and the shipping interest connected with it were, at the present moment, in a state of depression, and that much of that depression was owing to the heavy duties imposed on coals brought to London. He knew that a great cry had been raised against what was called the monopoly in the Coal-trade, from agreements amongst the chief coal-owners to keep up the price; and that to that was attributed the high prices; but he challenged the proof of that in the committee. The high prices were produced by the present heavy duties: if these were removed, coal could be obtained in London at a much cheaper rate. With respect to the question of monopoly, he could assure their lordships that the coal-owners were extremely desirous that that subject should also form part of the inquiry. It would, he had no doubt, be made evident, that the price of coal did not depend on the fact, whether the article was in the hands of the few or the many, for there was no regulation amongst the principal coal-owners this year, and yet coals were not cheaper; and their lordships would find that they would not be cheaper during the year. Considering that the present system of duties was extremely injurious to the Coal trade, to owners and to consumers, he implored his noble friend to consent to the appointment of a committee, with a view of considering the whole subject.

The Duke of Wellington assured his noble friend that he had not forgotten the great kindness with which he had been treated in his visit to the north of England, nor had he forgotten the result of the inquiries he had made with respect to the Coal-trade. He had at that time, though not in office, expressed an opinion, that an inquiry ought to be made, for the purpose of ascertaining the cause of the great difference between the price of coal at the pit's-mouth and that at which it could be bought in London. When the bill for regulating the coal-meters in Surrey was last year before the House, he had stated that he would endeavour to make every inquiry into the subject during the recess,

and that he would have no objection to carry on the inquiry by means of a committee in the session. Accordingly, he would not object to the committee for which his noble friend was anxious. But at the same time he must state, that all the inquiries he had made during the recess, proved to him, that the duty paid to government on coals was not the cause of their high price here, as compared with that which they bore at the pit's mouth. The difference was as eleven to forty-one; while the price to consumers was 50s. or 60s. If their lordships considered, that the amount of duty to government was only 6s. 6d. to the city of London—if they considered that his noble friend, when chancellor of the Exchequer, had taken off a duty of 3s. per chaldron, and yet the price to consumers had not been lowered in any thing like the same proportion, they would admit, that there must be something in the trade which tended to keep up the price, and that that did not arise from the amount of the duty. He should have no objection to go into the inquiry, but at the same time he must say, that he had no intention of giving up any of the duties paid to government, nor did he think that those duties could be so effectually collected at the port of export, as at the port of import. With respect to the duties received by the city of London, they had been originally laid on and continued from time to time, for the purpose of making those improvements, and making those communications between parts of the metropolis, which were necessary for carrying on the great transactions of the city. The amount of those duties was very small, and it was necessary that they should be continued for a time, in order to complete the communications required with the new bridge; for all who visited that part of the city would admit, that the communications at present existing were not sufficient, and that it would not be possible that the business of that part of the city could be conveniently carried on, unless those communications were considerably enlarged. When the bill to which his noble friend alluded should come up from the other House, he should be disposed to give it his best attention, and to consider how far it might be expedient to continue the duties paid to the city of London permanently. But, he repeated, he should have no objection to the inquiry for which his noble friend sought.

Lord *Durham* said, he did not then intend to go into the question: after what had been observed by the noble marquis, it was not necessary. He would merely add his wish, on the part of the coal-owners, that an inquiry should be gone into. With respect to the bill before the other House, he thought it rather singular that the city of London should now ask for 40,000*l.* a-year to make approaches to the New London-bridge, when they had not felt it necessary to make any demand for the building of the bridge itself. What the public had a right to complain of was, that the city of London should attempt to smuggle this tax through the House, in the clause of a private bill. Why not openly introduce a public bill for the purpose of this tax, if it was one to which they had a fair claim? In his parliamentary experience he had seen much of this kind of proceeding on the part of the city of London, and he thought it highly objectionable.

ROMAN CATHOLIC CLAIMS—PETITIONS FOR AND AGAINST.] The Earl of *Malmesbury*, in presenting some petitions against Catholic Emancipation, said, he wished to take that opportunity of stating that his opinions on the subject remained unchanged. He had been a member of parliament for twenty-seven years, and had uniformly given a vote on the same side. He did not see any reason to change his opinion, or to alter the vote he should give. He felt great regret at being compelled to act in opposition to those under whose banners he had fought. He gave them credit for their motives, and believed they had no other object but to promote the interests of the country. He trusted that they would give him equal credit for the sincerity of his motives.

The Bishop of *Bath and Wells* said, he rose to present the petition of which he had given notice, signed by between six and seven hundred of the under-graduates of the University of Cambridge. They prayed their lordships to preserve inviolate the liberties and altars of the country. This petition arose out of the observations which had been made elsewhere, that the feelings of the young men of education in the country were in favour of concession to the Catholics; and, wishing to wipe off this stigma from themselves, the petitioners felt themselves called upon to address their lordships on the occasion. When the petition was first intrusted to his

care, he felt some distrust, thinking that such a petition might be against the discipline of the university; but, on consulting some of his learned friends connected with that university, he found that there was no law, rule, or regulation, which opposed the signing of such a petition by under graduates. Indeed, he himself was opposed to the introduction of political parties or clubs in the universities, and he was sorry to learn that such clubs were not only tolerated, but allowed. However, as this petition was most respectfully drawn up, and as he was a friend to the right of petition, he laid it before their lordships. It was scarcely necessary for him to add, that he fully concurred in its prayer. Few petitions had stronger claims on their attention; for though he feared that some petitions had come before their lordships originating in sordid motives and views of self-advancement, he was certain that no imputation of the kind could rest upon the petitioners. They were men who had studied the writings of Greece and Rome, and had found reason from their studies to implore their lordships not to grant any further political power to the Catholics. He believed that these young men were now more accustomed than formerly to study the great divines of the English church and the records of our salvation; and from this knowledge they had come to implore their lordships to preserve the Protestant reformed constitution entire. He hoped he saw in the petitioners the future ornaments of the bar, the church, and the senate, and he trusted that the pledge they gave of the sentiments they thus expressed, they would redeem by a holy life. He did not think it necessary to trouble their lordships any further; more he would not say, out of respect to them; and less he could not have stated out of respect to the petitioners. He would only add, that the petition originated in the honest feelings of ingenuous youth, who were anxious that their lordships should preserve entire our Protestant constitution in Church and State.

The Marquis of *Lansdowne* hoped he should be excused for troubling their lordships with a few words on the subject of the petition now presented by the right rev. prelate, as he had already had occasion to call their lordships' attention to the conduct pursued by the University of Cambridge, in relation to the subject of the Roman Catholic claims.

The whole of those, with a few exceptions, who had signed the petition, represented themselves as under-graduates of the University of Cambridge, in which situation he had spent a portion of the happiest hours of his life. But while in that situation he had never thought of presenting petitions to the legislature on political subjects; and if he had thought of such a thing, he should have despaired of finding any right rev. prelate to present it. At the same time, he had no doubt but that the right rev. prelate, in undertaking to present this petition, acted in strict conformity with what he considered to be his duty. But without any disrespect to the right rev. prelate, or to those by whom the petition was signed, yet he must say, that it would have been better if no such petition had been presented. About four or five years ago, when a petition was before the University of Cambridge against any concession to the Catholics, and the under graduates proposed to petition in favour of concession, he, though well known to be favourable to concession, had told the under graduates that they ought to sign no such petition. He understood, that, in the University of Oxford, the under graduates had drawn up two petitions, one for and the other against emancipation; but the proctors, who probably were more severe critics on political matters than on subjects of ancient history, had laid their ruthless hands on those petitions, and suppressed both. He understood that the authorities at Cambridge intended to have acted in a similar manner, with regard to the petition before the House; but its supporters, by some means or other, outstripped the vigilance of the proctors, and it found its way into the Cambridge coach. He believed, however, that the vice-chancellor had testified his entire disapprobation of the proceeding, and finding a disposition existed, on the part of some of the under graduates, to sign a counter-petition, he called on the heads of the colleges to oppose it; and in compliance with the recommendation of those learned persons the young men abandoned the project, although he understood that so many as two hundred and fifty in Trinity College alone were prepared to sign the petition. He might here observe, that the present petition was signed by only six hundred persons, whilst the number of under graduates of Cambridge amounted to one thousand five hundred and sixty. He

could not perceive any thing in the course of study pursued by these young men, which peculiarly fitted them for judging of the tenets of the Romish church; and he considered that it would be better for them to pursue their studies, than to be thus anticipating the passions of future life. Their lordships had already received petitions from apprentices, schoolboys, and charity children, all of whom were, he thought, less competent to form an opinion on the Catholic question than the under graduates of the University of Cambridge; and therefore he would not object to the present petition being laid on the table. He hoped, however, it would not be supposed, that their lordships were sanctioning the principle, that young men who had not taken their degrees were competent to form themselves into a tribunal for instructing parliament, as to the course it should pursue.

Lord King said, that the right rev. prelate who presented the petition seemed to consider it one of its recommendations, that it proceeded from the ingenuous feelings of youth. Now, as the ingenuous feeling would be strong in persons who were under graduates of Cambridge, the petitions of the youngest boys in public schools would, on that principle, be still more valuable. The noble lord then expressed his surprise, that amongst the many appointments which the right rev. prelate had enjoyed in the course of his life, he had never possessed those of master of Trinity College, and dean of Christchurch; for which his opinions with respect to the education of young men seemed eminently to qualify him.

The Bishop of Lincoln said, that the right rev. prelate who presented the petition had reflected on the heads of the University of Cambridge, of whom he (the bishop of Lincoln) was one, for not putting down a certain debating club which at present existed. He was far from approving of the club; but, at the same time, the right rev. prelate should have taken more pains to acquaint himself with the reasons which had induced the heads of the university to tolerate its existence. He might, however, observe, that it was one thing for the under graduates to debate in a club, by the regulations of which they were precluded from discussing political questions, and another to send petitions to parliament. Young men were sent to the university for the purpose of education; and what

could be more foreign to that purpose, than that they should be encouraged to neglect their studies and employ their time in framing and transmitting petitions to parliament? He, besides, entertained considerable doubt as to whether the undergraduates could, in that character, present petitions to parliament. The University of Cambridge was a corporation, consisting of the chancellor, masters, and scholars; and whenever they addressed the throne, or either House of parliament, their petitions were passed in the senate, in which no under graduate had a voice.

The Marquis of *Lansdowne* was quite clear, that it would have been the duty of the House to have rejected the petition, if it had purported to be that of the undergraduates of Cambridge; but it only represented itself to be the petition of the "under-signed, being under graduates."

The Bishop of *Oxford* said, that on behalf of the authorities of the University of Oxford, he would declare, that no toleration was given by them to debating clubs in the university. He could not forget, however, that twenty years ago, he belonged to a debating club in Oxford University; and that club had continued to exist, because, like the Catholic Association, it had been found impossible to put it down. When the members of the society were hunted out of one room, they met immediately in another. The noble marquis was right in stating, that petitions on this subject had been suppressed in the University of Oxford, not on account of any ruthlessness on the part of the officers of the university, for those who were most active on the occasion were friendly to emancipation, but because they considered the proceeding improper in itself. He could state on his own authority, that some of the most honourable young men in the university, afterwards called on the proctors, and thanked them for not having permitted them to do so absurd a thing as to petition parliament. The right rev. prelate concluded by expressing his regret, that any encouragement should be held out to the young men in the universities, to induce them to embark in discussions which must divert their attentions from those literary pursuits, in which it was the wish of the heads of those establishments to train them.

HOUSE OF COMMONS.

Tuesday, March 24.

ROMAN CATHOLIC RELIEF BILL.]

Mr. Secretary Peel moved the order of the day for going into a committee on this bill. The House having resolved itself into the said committee,

Mr. Secretary *Peel* proposed a verbal amendment in the clause enacting, "That it shall and may be lawful for persons professing the Roman Catholic religion to vote at elections of members to serve in Parliament, and to be elected such members: and also to vote at the elections of representative peers of Scotland and Ireland, and to be elected such representative peers, &c.," on producing to the proper officer a certificate of having taken the oath appointed; or upon taking and subscribing the oath at the time. The object of the amendment was, to render the passage more explicit, and to provide for the case of Scotland, and that of persons who were to administer the oath.

The question having been put on the amendment,

Mr. *R. Dundass* said, he trusted he should not be considered as making a factious opposition to the measure, or as intruding unnecessarily on the patience of the House, if he stated the reasons which induced him to oppose the clauses as they now stood. He would be the last person to obstruct public business, by frivolous or uncalled-for remarks; but he felt it his duty to call upon the representatives for Scotland to suffer no principle of temporary expediency to interfere with the great principles of the Union between England and Scotland; and he called upon the representatives for England, as they valued the faith of their ancestors and the national honour, to assist him in defending the articles of the Scottish Union from the most dangerous innovation attempted to be effected within the last century. After apologizing for having remained so long silent on the subject, and stating that he had been induced to remain so by the hope that some individual better qualified to execute the task than himself, would have taken the matter in hand, the hon. member proceeded to say, that at the time of the Union between England and Scotland, the latter country was as independent as the former; but if this bill passed into a law, the interests of the one country would, in some degree, be rendered subservient to

those of the other;—we should violate the sacred principles of the Union, take away the securities of the church, which that act established, and lay open the gates of the constitution to many future dangers. If he could prove that this bill infringed the act of Union with Scotland, he thought no one could consider him as acting unreasonably in taking the sense of the committee upon the subject. The hon. member then cited the act agreed to by the parliaments of England and Scotland, and appended to the articles of Union; and, after proving that it formed an essential part of the Union between the two countries, added, that by that Union it was provided, for the security of the Episcopal and Presbyterian religions, that the sixteen peers and forty-five commoners who were to represent Scotland in the Parliament of the United Kingdom should be Protestant. By this statute, Papists were effectually excluded from sitting in parliament for Scotland. It followed that, if Roman Catholics were rendered admissible as members and peers of parliament from Scotland, as was proposed to be done by these two clauses of the bill, the act of Union with Scotland would be thereby repealed. He could not consent to the articles of Union between the two countries being violated in this manner. It might be said, that the present was a measure alike necessary and expedient, but, as long as he had a seat in that House, he could not submit to such an infringement of the act of Union with Scotland.

The *Lord Advocate*, after complimenting the hon. member on the tone and manner in which he had stated his objections to the bill, observed, that the right hon. Secretary, in bringing forward the measure, admitted, that one of the principal difficulties with which he had to contend, arose from the circumstance of its touching the articles of Union with Scotland. At the same time it was stated, that there appeared sufficient advantages in the extension of the measure, to overbalance any inconveniences that might arise from considerations such as that;—and, further, that in a measure of so comprehensive a nature, it would be unwise and inexpedient to exclude one part of the country from its operation. All the hon. member called for was this—that we should exclude the Catholics in Scotland from the same sort of advantages as they were to be allowed to possess in other parts of the country.

There was nothing in the Scottish Union which said, that a member of the British parliament, elected to represent a place in England, might not be a Catholic. Strictly speaking, there was nothing in the articles of Union with Scotland, on the subject of exclusion of Roman Catholics from the representation of that country. In the act annexed to those articles however—an act which he admitted formed part of the Union—it was provided, that persons should not represent Scotland in the united parliament, except they subscribed to a certain *formula*, which it was now proposed to repeal. He was certain that there was no feeling on this subject in Scotland,—that no desire existed that Scotland should be alone excepted from the operation of this measure. He had looked through all the petitions presented to the House from Scotland on this subject, and, with one exception, he found that this infraction of the Treaty of Union between the two countries was never alluded to. Although various respectable and well-informed persons in Scotland were opposed to the measure generally, but few wished that, if once adopted, an exception should be made in favour of Scotland. There were only two peers in Scotland who professed the Roman Catholic religion. As to Catholic members of the lower House, he would say nothing; and he did not think that the present bill would add ten Catholics to the freeholders of all Scotland. The hon. member's objection was of no practical value whatever. The question amounted to this,—were the articles of the Scottish Union unalterable? While he admitted, that the clauses did affect that Union, the consideration was, might not the objection be got rid of? One article, and one only of that Union, had been declared unalterable. It followed, that with respect to the others, on a fair showing of necessity, alterations might be made. He was one of those who would always stand up for the maintenance of the articles of the Union, if any attempt were made to invade the privileges of the weaker by the stronger country. By the articles of Union, there was reserved a power to the parliament of Great Britain to alter those very articles themselves, which were contended to be unalterable; and as a consequence of that power, the House would perceive, that within forty years the whole of the heritable jurisdictions of Scotland were swept away by an act of parliament. The very

year after the Union the power of the council, which was to adjust matters relative to the returns of peers and commoners from Scotland to the parliament of Great Britain, was itself invaded and extinguished, whilst the act of the 6th of Anne altered the mode of returning and electing both peers and commoners; which had been considered as intangible and unalterable until then, by any act of the legislature. He firmly believed there was nothing in this bill which ought to alarm the religious professors of the Church of Scotland, on the ground that the privileges granted to the Catholics could shake the firm and rational ground of their religion, much less raise on its ruin the supremacy of the Church of Rome.

Mr. *George Bankes* said, it would be very much to be regretted if this measure were allowed to pass into a law without sifting it thoroughly, to ascertain how far the laws and interests of Scotland might be affected. That alterations had been made in the law since the Act of Union could not be denied; but he believed the learned lord did not mean to contend that the alterations which had as yet been made were necessarily to be considered as entailing others. He did not propose to follow the learned lord through all the observations he had made, because it would be vain for him to attempt to oppose himself in argument against that learned lord; but he did think it right that the measure should be discussed even on inferior points, and he should therefore call the attention of the committee to the twenty-first article of the Act of Union, in which a provision was made to preserve the rights and privileges of the royal burghs. In support of those rights and privileges there had always been, since the Reformation, a test to which members were subjected upon their election. That test was one of the strongest that could be devised. He confessed that, in a former session, when he heard honourable members holding forth against religious tests and bringing forward their own country as an example, he felt some surprise that they should have forgotten the tests which actually existed in that country at the time. He did not feel that there was, perhaps, much weight in the point which he had just raised before the committee, but he thought it right that every point which occurred should be stated, in order that it might be considered before the

measure was finally disposed of. He would not detain the House by making further observations upon this point; but he begged to state that when they came to the following clause which related to the formula, it would be his wish that there should be some more distinct recognition of the repeals which had taken place in the laws of Scotland since the Union.

Sir *G. Clerk* said, that the formula introduced by an act of William was not an essential part of the Act of Union, but was only intended incidentally to apply to it; in fact, there was no act of parliament, since the time of Charles 1st., by which any particular test was required. It appeared to him impossible that any article of the Act of Union could really apply to the question before the committee; neither, if such were the case, did he see why any one in Scotland should feel uneasy about it; for whatever apprehensions they might have as to the church of Ireland, there was not the slightest danger as to that of Scotland.

Sir *R. Inglis* said, that he had presented a number of petitions from Scotland, and he would venture to assert, that there had not been one of them in which it was not stated, that one of the things which the petitioners feared was a violation of the Act of Union; indeed, he had no doubt that such an apprehension was very general in Scotland.

Mr. *Trant* also defended the propriety of preserving the act of Union with Scotland in its original terms; and hoped the House would pause before it invaded a compact so solemn. For his part, he was happy that the objection had been taken. He felt, indeed, so strong a desire to oppose the present bill, that he was determined to take advantage of every argument which could be urged against it.

Sir *George Murray* said, he did not intend to detain the House for more than a few minutes; but as the hon. gentleman who opened the debate upon this question, had called on the representatives of Scotland to join in resistance to the clause, he felt himself bound to explain the reason why he did not think it his duty to obey that call. No man had more respect than he had for the principles upon which the Union between this country and Scotland was founded, and no man would be found more ready to defend them, or to resist any attempt to infringe upon the honour

and interests of his native country. The very reverse of any thing of that kind was, however, the foundation of the present measure. That measure was intended to remove a blemish from the legislation of England and of Ireland; and he conceived it would not be for the honour of Scotland, if the same blemish was not removed from the legislation of that country. It would appear that those who framed the Act of Union with Scotland had almost foreseen the alterations which were now about to take place; because by that act they had expressly retained a power of altering all laws connected with their rights and privileges, according as the policy of civil government might require. This was a proof, indeed, of what was called the wisdom of our ancestors. Circumstances, they felt, required their enactment of particular laws; but it was not intended that those laws should be in force, when the circumstances that called them forth had ceased to exist, or had been materially altered; or when, as with respect to the laws to be repealed by the present bill, they had actually become detrimental to the public interest. If the committee looked back to the spirit of the times in which the Act of Union was framed, they would find a similarity to that now prevalent in relation to Ireland. For that country—as for Scotland, at the period he alluded to—they were now endeavouring to remove the evil effect of former measures of the legislature, and were thereby promoting the legitimate objects of the acts of Union. Upon these considerations, he had come to the conclusion, that, if it were proposed not to extend the present measure of relief to Scotland, so far from that exemption being of advantage to that country, it would, on the contrary, be to its great disadvantage and its dishonour. With respect to the argument of intimidation having induced the present measure, which some hon. members had indulged themselves in, he would only say, that that argument might, perhaps, have some plausibility, so far as Ireland was concerned; but could have no possible application to Scotland, seeing that, in the former country, the Catholics constituted the large majority of the population, whereas in the latter they were very few in comparison with the Protestants.

Mr. *Lindsay* agreed with the gallant general, that Scotland ought to be in-

cluded in the present bill. Without entering into the general merits of the measure, he would say, that he would not oppose it, as he placed entire confidence in the government whence it had emanated.

Mr. *H. Maxwell* moved, that the whole clause be read, with a view to taking the sense of the committee on it as it stood, and thereby saving the time of the House in dividing on each part of the clause.

The clause being read, the committee divided: For the clause 158; Against it 54. Majority in favour of the original clause 104.

Mr. *Cripps* said, he had already gone as far as he could go in consenting to the admission of Roman Catholics into parliament, and allowing them to be framers of the laws of the land; but here he would take his stand, and he would not consent to open to them the judicial offices, and intrust to them the execution of those laws. He had hitherto uniformly opposed the Catholic claims, and it was rather hard that he should be called upon, all at once, to consent to a sweeping measure, which removed all the barriers that had been erected against Catholic influence, and which was accompanied with advantages not even expected by the Catholics themselves. Every thing was given by this bill to the Catholics, and no corresponding and sufficient security was afforded to the Protestants.

Mr. *W. Horton* was desirous that the hon. gentleman would state the specific dangers which he apprehended; for then, and not till then, could they be provided against.

Sir *E. Knatchbull* said, he would specify the danger which he apprehended. The Roman Catholics were known to be under the influence of their priests, and by obtaining seats in that House, they would be the better enabled to promote the designs of that priesthood. He would take that opportunity of asking the right hon. gentleman, if it was his intention to recommit the bill, or what was the course which he intended to pursue?

Mr. Secretary *Peel* said, that it was not his intention to recommit the bill; but, between the bill passing through the committee and the bringing up of the report, he intended it should be printed.

The Marquis of *Chandos* rose to move an amendment. As the bill at present stood, there was nothing to prevent a

Roman Catholic from being prime minister. It was true that there was not such an office recognised by the law as that of prime minister, but it was equally well known that, to all intents and purposes, the first lord of the Treasury was the prime minister. It was also true, that the lord Chancellor must be a Protestant, but a Catholic might be prime minister, and might have thus the disposal of all the patronage of the state and the church vested in his hands. To provide against that danger he would move that, after the words "office of," and before the words "lord Chancellor," be inserted the words "First Lord Commissioner of his Majesty's Treasury."

Mr. Secretary *Peel* said, that the security proposed by the noble lord would be a perfectly delusive one. He should oppose the amendment, therefore, because the bill was founded upon the principle of an equality of civil rights, unless where special grounds justified special exceptions. Even if a Roman Catholic should attain to the office of prime minister—which was certainly a very unlikely thing—he could not interfere with the disposal of church patronage, for there was a special clause in the bill which provided that "it shall not be lawful for any person professing the Roman Catholic religion, directly or indirectly, to advise the Crown in the appointment to, or disposal of, any office or preferment, lay or ecclesiastical, in the united church of England and Ireland, or of the church of Scotland," and which further provided, that a Catholic convicted of so doing should be deemed guilty of a high misdemeanour, and disabled for ever from holding any office, civil or military, under the Crown. That appeared to him a sufficient security against the danger of a Roman Catholic, as prime minister, disposing of church patronage. From the office of lord Chancellor the Catholics were excluded, because the church patronage in the hands of the Chancellor was inherent in the office; but it was not so with the office of the First Lord of the Treasury. The church patronage did not belong to that office, nor was the person who filled that office necessarily prime minister. Speaking constitutionally, he would say, that patronage belonged to the Secretary of the Home Department, for his name was always introduced in every form connected with the disposal of the dignities and preferments of the church

of Scotland. The law of England never recognized such an office as that of prime minister, and it did not necessarily follow, that the person filling that conventional office should have the disposal of the church patronage, for according to the law of England, that attached to the office of Secretary of State. In a recent instance his late right hon. friend, Mr. Canning, determined to hold the offices of prime minister, with that of Secretary of State; and he knew, for his right hon. friend had told him so, that his right hon. friend was satisfied, that there would be no objection to his holding the two offices together—that of prime minister and Foreign Secretary, and having the church patronage of the country in his hands. His noble friend would, therefore, see that the security which he would propose, was, in fact, no security at all. There was but little chance that a Catholic would ever be first lord commissioner of the Treasury, and he might be prime minister without holding that office; and, in any case, he could not advise the Crown in the disposal of church patronage. He should therefore oppose the amendment, as it offered no security, and was against the principle of the bill.

Mr. *Sadler* said, he fully concurred in the objections which had been raised by the right hon. gentleman to the amendment as a matter of security. To him it appeared no security at all; and as Catholics were to be admitted to parliament, he would rather prefer that the whole of the offices in the state should be thrown open at once to them. Under such circumstances, he would be for throwing open to the Catholics all the civil and legal offices in the state—even the regal office itself [cries of Oh! Oh!]. It was his conviction that after Roman Catholics were admitted to parliament, all securities would be unavailing.

Mr. *Duncombe* thought it as likely that a Protestant king would appoint a general in the army to the archbishopric of Canterbury, as make a Roman Catholic prime minister.

Mr. Secretary *Peel* said, that there was no church patronage directly vested in the hands of the first lord of the Treasury, or of the Secretary of State. These officers merely advised the Crown in the disposal of that patronage. The offices of lord Chancellor and lord-lieutenant were excepted: as to those offices the disposal

of church patronage inherently attached. No doubt, the minister who advised the Crown as to the disposal of that patronage exercised a great influence over its disposal; but no Catholic could do so without being guilty of a high misdemeanour.

Mr. Moore said, that such a clause existed undoubtedly in the bill; but how, he would ask, could the fact be brought home to a person accused of it? and would it not be impossible to procure evidence for the conducting of such a prosecution to a successful issue?

Mr. Peel said, it was impossible to give the security required, as the law did not recognize such an office as that of prime minister. In the eye of the law, the ministers were all upon an equality, and his noble friend would not effect his object by making an exception of the first lord of the Treasury, for any other of the ministers might be prime minister. When lord Chatham was prime minister, he did not hold the office of first lord of the Treasury.

Sir E. Knatchbull thought, that the only security consisted in excluding the Catholics altogether from the Privy-council. He entertained too much respect for his sovereign to be a party to a measure that might surround him with Catholic councillors. If his noble friend would permit him, he would propose an amendment upon his amendment, for the purpose of preventing Roman Catholics from being members of the Privy-council.

Mr. Huskisson said, he would altogether oppose such a proposition. It was perfectly consistent in the hon. baronet to effect such an exclusion; but it would be fraught with danger to the State, and injury to the Crown and the country. When they once admitted Roman Catholics to that and the other House of parliament, they had no right to exclude them from those rewards, to which public exertion and talents naturally aspired; and they had no right to deprive the Crown of the power of selecting from the parties in both Houses the individuals best calculated to conduct the public service. To admit Catholics to parliament, to allow them to be members of the legislature, and yet to exclude them from the service of the Crown would be to adopt a system dangerous to the Crown, detrimental to the interests of the country, and inconsistent with the principles of the constitution. Such a proceeding, he would re-

peat, would be fraught with danger to the well-being and safety of the country.

Mr. Sugden said, he could not avoid referring to some observations which had fallen from the hon. member for Newark. That hon. member had repeated what he had said on a former night—that if this bill passed, he would rather that all offices should be thrown open to the Roman Catholics, and that the whole constitution should be granted to them. Indeed, the words of the hon. member were, if he recollected rightly, that his taste, as well as his judgment led him to desire, that if this bill passed, they should cease to oblige even the king to adhere to the Protestant religion. The hon. member spoke of the bill being, as it stood, an equal infringement on the constitution. Now, that the king should be a Protestant, formed a fundamental part of the constitution, as established at 1688; while the laws excluding the Catholics were passed before that Revolution. These laws were certainly recognized at the Revolution; but they did not form a fundamental principle of that Revolution; whereas the Bill of Rights, in order to provide against the possibility of a Catholic king, declared, in the strongest terms, that if the king ceased to be a Protestant, his subjects would be absolved from their allegiance to him. The hon. gentleman had also said, that there was one point recognized by the bill which would especially induce him not to support it; and that was the continuance of the Protestant ascendancy. Now, it was because the bill did provide for the Protestant ascendancy; that he would vote for it—since, in his opinion, a Protestant king and Protestant ascendancy were essential to the constitution. As to the general question he would not enter into it at present—but he thought that some of the points made by the hon. gentleman required notice. He understood the hon. gentleman to have observed, that so far as regarded the legal right to the Crown, that right would remain after the passing of this bill, but that the moral right would be affected by the measure. If the hon. gentleman had expressed that opinion, a more dangerous doctrine was never delivered in that House. The hon. gentleman must know, whether he (Mr. Sugden) had stated his sentiments correctly. He believed he had done so; and, indeed, this last mentioned sentiment was perfectly consonant with other expressions that

had fallen from him; especially when he argued, that the legislature would be exceeding the power which the constitution had conferred on it, if this bill were passed, and that the people would never again rally round ministers for the security of the country if the measure were carried. These doctrines he looked upon as extremely dangerous.

Mr. *G. Bankes* expressed his determination to vote for the proposition of his noble friend, which, as he conceived, was a perfectly reasonable one. He would concede to his right hon. friend, the Secretary of State, and to the right hon. member for Liverpool, the position, that the office of prime minister was utterly unknown to the constitution. But they must argue the question with reference to the present state and situation of the country, and to the manner in which the government of the country was arranged. If, then, they looked at it in this way, he believed it would be acknowledged on all hands, that the office was one which was perfectly well known. He would ask any man at all conversant in the affairs of the country, to say, whether he was or was not aware of the power attached to the situation of prime minister? He did not think that any person could plead ignorance on that point. He repeated, that the proposition of his noble friend was reasonable and proper, and therefore he should give it his support. His right hon. friend, the Secretary of State had said, "I have provided for you already a security so sufficient, that it ought to remove every difficulty. I have, by my provision, so hampered the measure, that a Roman Catholic cannot be prime minister." Well, then, if that were the case, what became of the objection to his noble friend's proposition? He admitted the course of argument adopted by his right hon. friend, to be correct; but, if the provision contained in the bill were such as must effectually exclude Roman Catholics from holding the situation of prime minister, he could see no good reason for refusing to name the situation, as one which no Roman Catholic would be allowed to fill. He was willing to confide in the honour and sincerity of his right hon. friend, but he would say, "Let us have two securities. We already have got the security of my right hon. friend; let us have that of my noble friend opposite." Now, the only argument which he had heard on the

subject, related to the difficulty of expressing their meaning clearly on this bill. He cared not whether they used the definition of prime minister, as laid down in 1827, in the correspondence between Mr. Canning and the noble duke now at the head of the government. It did not appear to him to be of any importance, whether they viewed as prime minister the first lord of the Treasury, or the person who received his majesty's commands to form an administration. All he wanted was, that Roman Catholics should be, by this bill, excluded in terms from filling that situation.

Mr. *Bright* observed, that the question now before the committee was, whether it was expedient that the prime minister, or the person holding the chief place in the councils of his majesty, ought or ought not to be a Roman Catholic? He thought, that if they could by any phraseology designate that situation in the bill, they ought to do so. Roman Catholics ought to be effectually excluded from acting in that capacity. There was, he knew, a provision in the bill, by which any Roman Catholic who advised his majesty, with respect to the disposal of church patronage, was declared guilty of a high misdemeanor, and was disabled for ever from holding any office under the Crown. That certainly would afford some degree of security, if it were possible to discover the offence. But it could not be forgotten, that this offence, if ever committed, must be committed either in conjunction with his majesty only, or with the knowledge of his privy council. Now, how was it possible for any court of law in this country to become acquainted with what passed in the privy council? What competent witness could be brought forward in a court of law to give evidence of the misdemeanor? He believed, if the House of Commons procured proper information on the subject, it was in their power to make a privy councillor speak out. The law of impeachment was, he imagined, as strong and powerful as that. But, what a state of things would it produce, if privy-councillors were compelled to palter with the Oath of Secrecy which they had taken? He therefore contended, that the security thus offered was entirely useless and nugatory. The right hon. Secretary of State pointed out another way in which justice might be obtained. He said, that the Secretary of State for the

Home Department, counter-signed all these appointments. In stating that, perhaps the right hon. Secretary indicated the person who ought to be inserted in the bill, instead of the first lord of the Treasury. There were also other officers, whose situations gave them great authority with the sovereign, and who had the power of advising his majesty with respect to church property, as well as on any other subject. There was, for instance, the president of the council, whose duty it was to attend the privy council, and to inform his majesty of what passed there. There was, also, the lord privy seal, a very important officer, of whom lord Coke said, that he ought to inform his majesty if any thing were effected contrary to law. He threw out these suggestions to show, that if the noble lord opposite had selected, for his amendment, a character difficult to catch or describe, here were a number of offices which, though not of the same magnitude, were highly important, and might be selected for insertion in the bill.

Mr. Secretary *Peel* said, there was a security in the bill, which he thought would completely satisfy the hon. member, and would ensure his vote in favour of the clause. He conceived that the clause gave complete security, that the Secretary of State for the Home Department would be easily amenable for any advice he might give, if the government were administered on principles similar to those on which it had always been carried on; for he apprehended, that advice to the Crown was really indicated by the counter-signature attached to those documents, by which church patronage was disposed of. The Secretary of State, therefore, whose name appeared attached to any document of that kind, whether it were the nomination of a bishop, or for the disposal of any other portion of church patronage, must be considered as the adviser, and he thought, if the House of Commons wished to find out who was the adviser, the signature would afford complete *prima facie* evidence on the subject. Therefore, there would be no necessity for divulging the secrets of the council; because orders signed by the Secretary of State for the Home Department, would be the evidence as to the person who advised the Crown. The hon. member had, therefore, perfect security, under the present clause, with respect to that point.

Mr. *S. Wortley* observed, that by the

bill, Catholics were excluded from offices to which church patronage was annexed, or were virtually excluded, by the appointment of a commission to dispense that patronage. That, in his opinion, was a sufficient security.

General *Gascoyne* was in hopes, that the right hon. Secretary would vote for the amendment. With respect to such an office as that of prime minister, not being known, they could adopt the words of Mr. Canning, and consider the individual as prime minister who had the formation of the government. At any rate, there never was a doubt, in any situation of the country, as to who really was prime minister. He was sure that the ingenuity of the solicitor-general—which, by the way, had not been much evinced in the drawing up of this bill—would be able to find some words to describe who was meant by prime minister. He thought the words of his noble friend so good, that he trusted he would persist in his amendment.

Mr. *Trant* asked, whether they could, with any propriety, pursue the course pointed out by the right hon. Secretary. Would they allow the Roman Catholics to suppose, that they might fill the situation of ministers of state, at the very moment that they imposed conditions which rendered it impossible that Catholics could ever become ministers? His right hon. friend had said, that it would be a monstrous, a disgraceful thing, to allow them to get into those great offices ["no, no"]. His ears had cruelly deceived him, if the right hon. Secretary did not say so.

Mr. *Peel* observed, that what he did say, was, that according to the practice of the constitution, he considered that the person who filled the office of prime minister must have the disposal of the church patronage; and there was a provision in the bill, declaring that Roman Catholics should not advise the Crown, with respect to that patronage. Now, this being the case, though there was not a distinct disqualification of the Roman Catholics, with reference to the office of prime minister, yet he thought it would be so inconvenient for any person, not possessing that patronage, to act as prime minister, that it appeared to him highly improbable, if not impossible, that any Roman Catholic would attempt it. As to the words "monstrous" and "disgraceful," they were little effusions of the hon. member's fancy.

The Marquis of *Chandos* said, he saw no reason for altering the course he had taken. He thought it was better, in a plain and direct way, to declare that Roman Catholics should not fill the office of prime minister, rather than to leave the matter in the way recommended by the right hon. Secretary.

Colonel *Dalrymple* said, that if the Secretary for the Home Department, were the person whose duty it was to sign documents relating to church property, he could not see why Roman Catholics should not also be excluded from that office.

Mr. *Peel* observed, that there were three secretaries of state, and any arrangement with respect to their business was merely arbitrary and conventional. He apprehended, that the signature of his noble friend in the foreign department, or of his right hon. friend in the colonial department, would be just as valid, if placed to any of these documents, as that of the Secretary of State for the Home Department. The security afforded by the bill was, that there must be a Protestant Secretary of State to sign documents relating to church patronage.

Mr. *Bright* said, that according to the right hon. Secretary's declaration, if all or any of the three secretaries of state were eligible to sign those documents, a greater difficulty presented itself in selecting the responsible adviser; and if the House of Commons felt it necessary to proceed with an impeachment, it was very likely that they might pitch upon the wrong person.

Mr. *Peel* said, that if he had not entered into a detail on this subject, it was because he felt perfectly satisfied that the hon. member was deeply conversant with the principles and practice of constitutional law. He had an unaffected respect for the hon. member's abilities and knowledge; and as he believed that the hon. member understood the subject thoroughly, he did not think it necessary to explain the nature of the difference between the three Secretaries of State, which was nothing more than an arbitrary one. In the absence of one secretary, the signature of another was perfectly valid. He would again say, that if a Roman Catholic secretary gave advice with respect to the disposal of church patronage, or issued any document for that purpose, he would under this clause, be guilty of a misdemeanour.

Mr. *S. Bourne* said, that advice relative to the disposal of church property must be given by a Protestant Secretary of State. If one of the secretaries happened to be a Roman Catholic, any document relative to church property must be signed, not by him, but by one of his colleagues.

The committee divided: For the amendment 98; Against it 218; Majority 120.

Sir *E. Knatchbull* said, that he was so completely unable to satisfy his mind of the propriety of surrounding the king with a council of Roman Catholics that he should move that, after the words "governors of Ireland," the words "or become or be of his majesty's most honourable privy council" be inserted.

Mr. *Moore* said, he agreed with the hon. baronet, that the only way in which particular offices could be excluded was by express legal provision, and a clause framed in comprehensive terms. It was obvious that ministers possessed a most extensive power to affect the interests of the clergy, by measures both in parliament and out of it. For these reasons he should support the amendment.

Sir *C. Cole* said, that, although he should support the government through the remainder of the bill, he felt obliged to vote for the amendment, as he did not think that adequate security was provided against an improper exercise of the functions of the office, if filled by a Roman Catholic.

The amendment was put, and negatived.

Mr. *Moore* then proposed, that the words "or governor, or lieutenant-governor, or deputy-governor, or acting governor, or any of the colonies," be added to the clause. It was perfectly well-known that the Protestant churches and the Protestant religion, in many of our colonies, was in a situation which required peculiar care and attention. This care and attention must be principally supplied by those who executed the functions of government in the colonies; and the persons so executing the functions of government being so far removed from control, the amendment appeared to him to be imperatively called for.

Mr. *Trant* said, that his hon. friend had anticipated, in this amendment, one which he had intended to propose. When it was considered what extensive powers were committed to the governors of colonies, and what power every government must have over the church, he could

not consent that any person holding the tenets of the Roman Catholic religion should be invested with the trust.

Lord *Morpeth* congratulated the hon. members on the far-sightedness of their religious alarms; but thought that they need not be so severe with Catholic churches in a spot, where, whatever faults of civil government the Catholics had committed, they had first planted the cross of Christianity.

Mr. *Huskisson* said, he could not concur in the proposed amendment. The church patronage was not vested in the civil governors, and therefore there was no necessity for this caution. Besides, in three or four of our colonies, for instance, in Trinidad, the population was altogether Catholic, and he had long been convinced of the necessity of removing the disabilities under which Catholics in the colonies were placed, when he found that they were precluded from forming a part of the governor's council, although their knowledge and advice were, in many cases, absolutely necessary for the welfare of the colony.

Mr. *Wynn* said, that the bill had already thrown open these offices to Catholics, by making it lawful for them "to hold, exercise, and enjoy all civil and military offices and places of trust or profit under his majesty."

Lord *F. L. Gower* opposed the amendment. It was unnecessary, inasmuch as ecclesiastical appointments were not in the hands of the governors; and it was unwise and ungenerous, seeing that these governments were usually the reward of dangerous and important services in naval and military commands.

Mr. *Trant* thought it would be found that the oaths to be taken by governors of the colonies would exclude Catholics. As to the Catholics planting Christianity in India, it was there long before any such a thing as a pope was heard of.

Mr. *Stanley* said, the question was, whether the present bill admitted Catholics to these offices, and it was clear that it did.

Lord *Ashley* said, that if the hon. member for Dover wished for a real security, Catholics must be excluded from being directors of the East India Company; for they appointed the chaplains.

The amendment was negatived.

On the clause for the admission of Roman Catholics into corporate offices,

Colonel *Sibthorp* said, that, notwithstanding the opposition which members on his side of the House had met in giving their opinions upon the question, he should not be driven from the discharge of his duty. He could not agree that these subjects were trifling. His principle, on the contrary, was, "*principiis obsta.*" He contended, that any interference with the municipal rights of the corporations would be extremely injurious to the constitution. A corporation was a sort of petty government, a species of little republic. It would be as manifest a breach of the constitution to admit Catholics to corporations, as to seats in the government; and for this reason corporations had frequently the disposal of funds for ecclesiastical purposes, church endowments, and admissions to schools, with extensive patronage of purely an ecclesiastical character. In Ireland, the introduction of Catholics to corporations would be found peculiarly objectionable. In that country there were a hundred and fifteen corporations, and under these no fewer than two thousand five hundred offices, to each of which fees were attached; and yet it was proposed to throw the whole of these open to the Catholics! The consequence would be, to transfer power from the Protestants to the Catholics; and the effect of that transfer must of necessity prove most mischievous to that constitution which it was the duty of every Protestant to preserve entire. The admission of Catholics would be contrary to the charters of corporations. He would instance an inconvenience that might arise. To most corporations a chaplain was attached, who would be necessarily of the established religion. The mayor might, should this measure pass into a law, be a Catholic. What, in such a case, could be more ridiculous than to see the mayor go to one place of worship, and his chaplain to another? The hon. member concluded by declaring his intention to propose an amendment which would, he hoped, give additional security against Catholic influence.

Mr. *Moore* supported the view taken of the clause by the hon. and gallant member. It frequently happened, that mayors and other officers of corporations were, *ex officio*, governors or trustees of Protestant institutions and establishments. Now, he should like to know whether that new innovation was to be added to those already contemplated?

Mr. Secretary *Peel* would make inquiry into the points suggested by the hon. member. At present he was not aware of any power possessed by members of corporations to divert the funds from their original and legal destination; but if his hon. and learned friend could show him any real danger that might be incurred he would most willingly give such further security as the nature of the case might require. He thought, however, that the original clause was sufficiently strong and comprehensive.

The clause was agreed to.

On the next clause,

Mr. Secretary *Peel*, with reference to that part of the clause which provided that, "where such right of presentation should belong to any office in the gift or appointment of his majesty, his heirs or successors, in which case, if such office shall be held by a person professing the Roman Catholic religion, it shall be lawful for his majesty, his heirs and successors, to appoint, by commission under the great seal, such member or members of the privy council, being a Protestant or Protestants, as he or they should think fit, to be a commissioner or commissioners for exercising such right of presentation, while such office shall be held by a person professing the Catholic religion," remarked, that the hon. member for Corfe Castle had objected to this part of the clause, that the appointment of the commissioners might be under the control of a Catholic prime minister, and therefore they would probably exercise their office under his influence. He proposed, in order to obviate this objection, that instead of the appointments in such cases devolving upon commissioners, they should be made by an individual whose Protestantism could not be suspected—he meant the archbishop of Canterbury for the time being.

The clause, as amended, was agreed to.

The next clause provided, that "it shall not be lawful for any person professing the Roman Catholic religion, directly or indirectly to advise the Crown in the appointment to, or disposal of, any office or preferment, lay or ecclesiastical, in the united church of England and Ireland, or church of Scotland; and that if any such person shall presume to advise his majesty, his heirs or successors, or the lord-lieutenant or lord-deputy, or other chief governor or governors of Ireland, touching or concerning any such appointment or dis-

posal, he shall, being convicted thereof by due course of law, be deemed guilty of a high misdemeanor, and disqualified for ever from holding any office, civil or military, under the Crown."

Mr. *Trant* asked, what security was there that a Catholic minister might not go into the closet of the king and advise him to do that which would be subversive of the constitution? How would such conduct become known? What evidence could be obtained of it on which to convict the offending minister?

Mr. Secretary *Peel* asked, in reply, what security we had at present that the minister would not go into the king's closet and advise his majesty to deliver the country into the hands of the French? The proposed law said, that Roman Catholics should not give advice to the effect alluded to by the hon. member; and certainly there would be the same facility of prevention of bad advice then as there existed at present.

Mr. *Trant* said, that if the right hon. gentleman was right, that there was no security at all, it would be better to give it up altogether, and leave our security to chance.

Sir *R. Inglis* proposed the addition of the words, "or regent of this kingdom."

Mr. Secretary *Peel* said, the provision at present covered the case suggested by the hon. baronet. He would not, however, object to the addition of the words proposed.

The clause so amended was agreed to. On the clause enacting that titles to sees, &c., shall not be assumed by Roman Catholics, and that every person offending against it shall, for each offence, forfeit 100*l.*,

Sir *R. Inglis* wished to know whether it was meant that, on paying the fine, the Catholic might be entitled to retain the title which he had assumed, or whether he was to be fined for every offence which he committed against this clause?

The *Solicitor-general* observed, that any Catholic assuming the title of any bishop in England or in Ireland, would be guilty of a distinct and substantive offence, every time he assumed that title.

On the clause inflicting a penalty on Roman Catholic ecclesiastics officiating except in usual places of worship,

Mr. *Peel* said, that this was a clause calculated to give great satisfaction to

Protestants, and no dissatisfaction to the Catholics.

Mr. *Houldsworth* wished to know whether, if the Speaker of that House should hereafter be a Roman Catholic, he would be entitled to elect a Roman Catholic chaplain; and whether captains of men-of-war might appoint to their vessels Roman Catholic chaplains?

Mr. *Peel* stated, that this act would make no difference as to the appointment of officers or chaplains to men-of-war; nor would it, in the event of the Speaker's being a Roman Catholic, in the promotion of his Catholic chaplain, as the Crown would probably be unlikely to appoint upon such a nomination.

On the reading of the clause inflicting a penalty of 50*l.* for every calendar month during which an unregistered Jesuit, or member of any monastic order of the church of Rome, bound by religious vows, shall remain in the country, without giving the usual notice to the proper officer,

Mr. *Monck* objected strongly to this clause, as containing severer penalties than even the 27th of Elizabeth, and comprehending a wider scope of operation. It would embrace the Knights of Malta, composed of the first families in Europe.

Mr. *Spring Rice* also opposed the clause. He was sorry to see new penalties imposed by a bill the object of which was to remove other odious penalties. He contended, that persons belonging to monastic orders could do no injury to the Protestant establishments of this country. There were some lay orders in Ireland established for charitable purposes, which had founded schools, and the members of which were bound by vows which this bill would affect. He would, therefore, propose as an amendment, that those persons who were not ordained should be exempted from the operation of the bill; or, in other words, that it should not affect lay persons though bound by monastic vows. He should, therefore, move, that the words "not being laymen" should be inserted.

Mr. *Stanley* also objected to the clause. It would, he said, affect the college of Stonyhurst, where Jesuits diffused a useful system of education, and were of the utmost local advantage to the neighbourhood.

Mr. *Wynn* regretted extremely the invidious tendency of this clause. If one of the society of Benedictines, in pursuit of the great history in which his order had

been for so many years employed, were to come to England to search records, ought he to be liable to this penalty? Or if Angelo Mai were to arrive here from Rome to prosecute his learned studies, ought he to be exposed to similar obstruction? The government might reserve to itself, through the Secretary of State, a control over individuals, to be optionally exercised. Such a course would be better than an enactment of this nature.

Mr. *P. Thompson* thought the exclusion of the Jesuits from this country would be attended with unmitigated good. That order had always been opposed to civil and religious liberty; and this had been felt in every Roman Catholic country. In France, a great struggle had long been carried on, to prevent the Jesuits from monopolizing the establishments for the education of youth; and this opposition, on the part of the people of France, was the result of experience, and of a knowledge of the character of the Jesuits. If the clause had been introduced as a substantive measure, wholly independent of the general measure, of which he entirely approved, it should have had his entire approbation. In his opinion, it was the best part of the bill.

Mr. *Labouchere* said, he heard the opinions of the hon. member for Dover with regret. He did not like the Jesuits; but he objected to any class of persons being excluded from this country, who conducted themselves with propriety. Nothing could reconcile him to this clause, which was contrary to the free, open, and hospitable character of the English constitution. There were many scientific and learned men, members of religious orders, and it would be paltry and disgraceful to exclude them from visiting England. Turks, Pagans, and Infidels were admissible to this country; and it would be highly discreditable to exclude only those bound by religious vows. The only monks which he (Mr. L.) had ever seen in this country were some monks of the Swiss order of St. Bernard. Many gentlemen, in common with himself, had been indebted to the hospitality of those persons abroad; and if any one of them expressed a desire to visit this country, on scientific or literary pursuits, what pain an Englishman must feel, on being obliged to state, that if he or any of his brotherhood should come to England they would be liable to fine and imprisonment, merely because they belonged to a religious order.

Mr. Secretary *Peel* defended the clause. The present bill was, he said, a measure of concession to the Catholics, and should be met by persons professing that religion in the same spirit. The existence of monastic orders was by no means necessary to the existence or maintenance of the Roman Catholic religion, or the Roman Catholic church. There was a wide distinction between the members of monastic orders and the secular clergy. The laws of England were always opposed to monastic orders, and distinguished between the members of those orders and the secular clergy. When the measure passed for the relief of the Roman Catholic clergy in 1793, the laws against the monastic orders remained in force; but they were evaded by means of secret trusts, which was an additional reason why there should be some direct enactment on the subject. Every foreign country had manifested a jealousy of the Jesuits; and, as had been well observed by the hon. member for Dover, in France a great struggle had been carried on, to prevent the members of that order from monopolizing the education of the people. If the Jesuits were excluded from other countries, it was natural to suppose that they would resort to this; and it was too much to expect that this order should meet that encouragement and protection in a Protestant country, which was denied to them in Roman Catholic countries. It was consistent with good policy that every precaution should be taken with respect to the introduction of those religious orders into this country; and, considering the nature of this bill, every satisfaction ought to be given to those who entertained apprehensions, as to the consequences of those monastic orders being established here. There was a law already in existence for the prevention of Jesuit establishments, but it was not found effective. There was nothing intolerant, however, in the proposed clause. Those persons at present resident in this country were allowed to remain, upon the registration of their names, which was not a very severe penalty and we were only following the example of almost every Roman Catholic country, in preventing them from settling here. If the House could be aware of the anxiety and apprehension entertained in some neighbourhoods where Jesuits had arrived, with large funds, and with the intention of establishing themselves, the

necessity for some provision on the subject would be most obvious. As to the benefit derived from the exertions of those persons in promoting education, as referred to by the hon. member for Limerick, if persons wished to promote education it was by no means necessary that they should bind themselves by monastic vows. Vows of celibacy, or vows of poverty, had surely nothing to do with the promotion of education, or, as far as he could see, with the exercise of the Roman Catholic religion. The constitution and the law of this country were opposed to persons binding themselves by secret vows. The clause had given great satisfaction to those who had hitherto offered a conscientious opposition to the claims of the Roman Catholics; and, for his part, he could not consent to withdraw it, when Roman Catholic states had thought it necessary to exercise the same kind of jealousy with respect to particular orders.

Lord *Sandon* said, he could not approve of the proposal for the suppression of monastic institutions. The principle had been adopted under the despotism of Russia; but was certainly contrary to our free constitution. If the House divided, he would vote against the clause.

Mr. *H. Grattan* said, there was nothing in the conduct of the Jesuits in Ireland, (whose whole number did not exceed fourteen) which militated against social order. The principle of the clause, as applied to them, was harsh and unnecessary.

Mr. *L. Foster* defended the clause, on the ground of the religious excitement which now existed in every part of the world, and more particularly in those parts where the Roman Catholic faith was professed. He added, that the order of the Jesuits had recently been revived by the Pope; and contended, that it was impolitic to have, in a country like this, establishments of a society, which were bound to act implicitly according to the dictates of their ecclesiastical superior.

Sir *R. Wilson* observed, that while he concurred in the general principle of the clause, he thought that some exception ought to be made, or that some discretionary power ought to be vested in government, with respect to members of religious orders who might be thrown upon our shores by the accident of shipwreck; or who might come here for the purposes of science. It would surely not be to the

credit of the country to punish, or to banish, men under such circumstances.

Mr. *Huskisson* also concurred in the general principle. He thought it would be impolitic to allow the establishment of societies, the members of which were bound by secret engagements, and were obliged to pay implicit obedience to the commands of their foreign superior. That the society of the Jesuits would extend here, there could be no doubt, from what had taken place in France. With respect to Ireland, he was not so much acquainted with those societies there engaged in educating the poor, but if they were such as had been described, he saw no objection to their being excepted from the bill. At the same time, he objected to their living in communities, where they must endeavour to enlist others, and to multiply their numbers. With respect to the second clause, he thought there could be no objection to invest the government with the discretionary power of permitting members of religious orders, coming here for the purposes of science, or even of residing here, they being registered.

Mr. *Trant* thought, that this part of the bill was the only one which gave security to the Protestants; and, as a great deal remained to be said and done with respect to it, he would propose that the further discussion be adjourned [cries of "no, no"]. He would bear all the odium of exercising his privilege, in order to give full time for the discussion of the measure.

The Earl of *Uxbridge* said, that though opposed to the principle of the bill, he thought it better as they were in the committee, to go on with it. However much he disapproved of it, he would never offer any obstruction, which could only be useful for delay.

Mr. *Peel* could not agree that it was in any degree precipitate to go on with the bill. Nothing was more tedious than protracting the sittings in committee. He remembered the time, when the House willingly sat till four in the morning, to get through committees; but now hon. members, who did not come into the House till eight or nine o'clock, seemed quite exhausted after two or three hours' discussion. He was sure his hon. friend did not mean to give any unfair opposition to the measure, particularly as he did not appear to be opposed to those clauses.

Mr. *Trant* disavowed the intention of

giving any thing like a factious opposition to the bill. He, however, was anxious that full time should be given for discussing every clause fully.

Mr. *Peel* said, if the committee went through the bill that night, he supposed there would be no objection to receiving the report then, in order to have the bill, as amended, printed.

The House resumed, the bill was reported, and the further consideration of it fixed for Friday.

HOUSE OF COMMONS.

Wednesday, March 25.

ROMAN CATHOLIC CLAIMS — PETITIONS FOR AND AGAINST.] Sir *James Scarlett* rose, to present a Petition from the Serjeants and Barristers of the English Bar in favour of the Claims of the Roman Catholics. He had had the honour of presenting a similar petition in 1825, signed by one hundred and fifty members of the English bar; and a like petition in 1827, signed by two hundred persons practising at the English bar. The present petition was signed by three hundred and twenty-four persons, and contained the names of almost all the serjeants king's counsel, and practising barristers in the metropolis, and nearly all the talent and professional reputation to be found in the profession. He felt great pleasure in stating how entirely he participated in the feelings of the members of this profession, who, from the nature of their peculiar studies, were well aware of the principles of the constitution, and whose habits and interests, led them, on all occasions, to defend it. The petitioners expressed their gratitude to his majesty's ministers for the measures they had introduced for the settlement of the Catholic question. In this sentiment he entirely concurred; and he might be allowed to say that, in his opinion, there were not any gentlemen, in or out of that House, better qualified to form a just opinion on the subject.

Lord *George Cavendish* presented a similar petition from Chesterfield. It was signed by about five hundred persons, amongst whom were the whole of the magistrates resident in the district. Another petition against concession had been presented by his hon. colleague on a former evening, but he believed the present petition represented the sense of the more intelligent and influential, if not the most numerous, class

of the population. It had been stated, that the anti-Catholic petition was agreed to at a public meeting. The character of that meeting might be judged of by the fact, that when one of the resident magistrates came forward to speak he was interrupted, and was not allowed an opportunity to express his sentiments.

Mr. *Mundy* said, he did not feel disposed to offer any remarks upon the respectability of the signatures to the petition presented by the noble lord. He had no doubt that the statements made by the noble lord were perfectly correct; but, in reference to the petition which he had had the honour to present the other evening, he might be allowed to say, that it bore no numerical comparison with that now presented by the noble lord, for the petition presented by him (Mr. *Mundy*) had above four thousand signatures. As to the interruption which a magistrate had received at the meeting alluded to by the noble lord, the fact was, that the gentleman alluded to came forward at the commencement of the proceedings to explain why he had refused to attend to a requisition presented to him to call the meeting; but it was considered by those who conducted the meeting that it would not be in order to enter into such explanations until the resolutions were disposed of.

JUSTICES OF THE PEACE.] Mr. Secretary *Peel* rose, pursuant to notice, to move for "leave to bring in a bill, the object of which was to regulate the Office of Justice of the Peace in Counties at large, and to facilitate the discharge of the duties imposed upon those Functionaries." No one had more ample opportunities of observing the manner in which justices of the peace discharged the important duties of their office, than the Secretary of State for the Home Department. With the most perfect sincerity he bore testimony to the exemplary manner in which those magistrates performed their duties; and he hoped he should never see the day when the country would be deprived of their valuable services, by any transfer of their duties to other hands. It was impossible that they could be transferred to any hands capable of discharging them with more general satisfaction than those to which they were already intrusted. The object of the bill which he proposed to introduce would be, to facilitate the exercise of the duties, and to simplify the laws which applied to them;

but by no means to trench upon the existing privileges of the magistracy. There were in all, he believed, twenty-three acts which related to the qualifications and jurisdiction of magistrates. The enactments in these were numerous, and some of them complex. He proposed to proceed as had been done with the criminal laws last session; namely, to unite them all in one general statute, repealing such portions as, upon consideration, might appear unnecessary, and making such additions as the lapse of time might have rendered desirable. He would not then enter into any details; they would be best seen when the bill should be printed. For its subsequent stages he would fix a time sufficiently remote, to allow of the fullest consideration. It might not be amiss, however, that he should then lay before the House an outline of the intended measure. The qualification of magistrates had been fixed, in the reign of George 2nd, at 100*l.* a-year. Since that time, the value of money had so much changed, and property had so much increased, that not the slightest difficulty could be experienced in finding persons possessed of much higher qualification than that; and it had been considered highly expedient that the amount should be raised from 100*l.* to 300*l.* This, of course, was not intended to apply to local magistrates; it was only to affect justices of the peace for counties at large. It was also intended to abolish the distinction between justices of the quorum and justices of the peace; the necessity for such a distinction having long since passed away. Another provision which he intended to introduce was one for enabling magistrates to compel the attendance of material witnesses; and he would likewise propose, that the magistrate who issued a summons should attend personally to hear and assist in determining the matter in dispute. His bill would also make provision for the regular holding of petty sessions, and contain a general form of conviction; the want of which had been heretofore seriously felt, and even by the legislature itself; for in every new act a fresh form of conviction was to be given; and for offences against the common-law no settled form was extant. These defects he proposed to remedy. As respected fines and penalties he proposed that returns should be regularly made to the Clerk of the Peace, and he would introduce a provision

for regulating the fees to be received by the clerks of the justices themselves. These, besides the consolidation of the acts above referred to, constituted the principal provisions of the bill. He presented it to the House with the greater confidence, it having been prepared with the assistance of his hon. friend Mr. Hobhouse. Though prevented by ill-health from continuing in public life, he was anxious to give to the country the benefit of his long experience, and knowledge of the subject.

Mr. *Hume* said, he did not consider that 300*l.* formed a good test by which to try the qualifications of a magistrate. Many a man well qualified had no more than 100*l.* a-year; while there were fools worth 10,000*l.* or 20,000*l.* He greatly disapproved of the number of clergy who were in the commission of the peace. The clergy ought only to be in the commission, when qualified laymen could not be found. In some counties they were able to do without clergymen altogether, or nearly so; whereas in other counties they were a great deal too numerous. But, whether the clergy formed the majority or not, they generally formed the majority in attendance, and had every thing their own way.

Mr. *Houldsworth* protested against the language held by the last speaker. He was unwilling that there should be any interference with the clerical magistracy. They were not only well qualified generally, but especially so from the opportunities which their attentions to their parishioners afforded them. He was opposed to any alteration in the constitution of the magistracy which should introduce into that body a greater proportion than there was at present of members of the legal profession.

After a short conversation, leave was given to bring in the bill.

HOUSE OF LORDS.

Thursday, March 26.

ROMAN CATHOLIC CLAIMS—PETITIONS FOR AND AGAINST.] The Earl of *Darnley* presented several petitions from Westmeath, in favour of emancipation. He observed, that not only in that county, but throughout Ireland, the great measure was hailed as one which would be productive of the happiest results. It had been said, that that measure did not interest the

great body of the people in that country. He could assure them it did, and so grateful were they for benefits saw it where they would confer on the country, that they did not object to the second measure with which it was to be accompanied, though if that measure had been introduced without the first, it would have met with the most strenuous opposition. He hoped that those by whom it was introduced would persevere steadily, until its final success should be secured.

The Duke of *Richmond* said, that the noble earl had advised their lordships to persevere in supporting the measure which had been introduced into the other House. He also would call on those noble lords who, for twenty years had supported the earl of *Liverpool* in resisting concession to the Catholics, to persevere in the same course. He called on noble lords not to abandon that course, now that those who had been their leaders in it had abandoned it, and when, therefore, the support of each individual peer was the more necessary. They had, it was true, an excellent leader in his noble and learned friend (lord *Eldon*), whose excellent example would prove a powerful support to their cause. He called on noble lords to rally round his noble and learned friend, and not to suffer themselves to be led away from the support of Protestant principles, by measures of theoretical expediency.

The Earl of *Eldon* said, he had a petition against farther concessions to the Roman Catholics to present from the householders of London and Westminster and the parts adjacent, signed by one hundred and thirteen thousand persons. the petitioners stated, "that they learned with deep regret that his majesty's ministers had brought into parliament a bill for the admission, under certain restrictions, of persons professing the Roman Catholic religion into the legislature of the united kingdom, and to certain offices of political power; that in the judgment of the petitioners it is inconsistent with the due protection of the throne and the Protestant establishments of this empire, and with the future happiness and tranquillity of his majesty's subjects, to concede to the members of the Romish church, that power of legislation which affects the life and liberties of their Protestant fellow-subjects—that in the opinion of the petitioners, eligibility to political power is not the birthright of any subject of his majesty,

but it is a right which, in a free country, can only be granted by the legislature, and must be obtained and exercised under such terms of qualification and restriction as are consistent with the spirit of the constitution and enacted by positive law;—that before the union of the kingdom of Great Britain and Ireland, and when the latter country had its separate Parliament, the Roman Catholics of Ireland were not admitted into the legislature of their own country, neither were they permitted to exercise the elective franchise, until very shortly before the Union; and that in the opinion of the petitioners the admission of Roman Catholics into the Parliament of the United Kingdom will not tend to tranquillize Ireland, but will greatly depress the spirits of his majesty's subjects in that country, and lead to further disunion between the inhabitants of that distracted land; that the tenets of the church of Rome are avowedly hostile to the reformed religion of the united church of England and Ireland, and the ecclesiastical supremacy of his majesty." After pointing out other causes of danger to the constitution, from the admission of Roman Catholics to legislative power, the petitioners went on to say, "that the petitioners firmly believe, and in that belief are sanctioned by the recorded opinions of the most enlightened statesmen, and by the failure of all attempts which have hitherto been made, that it will be found impossible to frame any securities which will render the exercise of the power of legislation by Roman Catholics consistent with the due protection of the throne and the Protestant establishments of this empire, and the happiness and security of his majesty's subjects. In conclusion, the petitioners prayed the House not to remove the disabilities affecting Roman Catholics—to preserve inviolate the Protestant ascendancy, and Protestant principles of the constitution, and to devise such other measures as might be deemed expedient for restoring tranquillity to Ireland, and for improving the condition of its people." The noble earl proceeded to observe, that the petition was signed by a large number of most respectable housekeepers and shopkeepers, and by many magistrates and other most respectable inhabitants of the county. A public meeting had been called for the purpose of having this petition submitted to it. That meeting was held at the Crown and Anchor

Tavern—a usual place for public meetings; but its proceedings were disturbed by a person who had distinguished himself as an orator at Spa-fields. The address of that person, who had become an advocate for Catholic emancipation, caused such confusion in the meeting, that the parties with whom the petition originated felt it necessary to retire into another room, where the petition was most respectably signed. Copies of it were afterwards sent to sixty places, and persons were stationed at each to prevent its being improperly signed. He would not say that in a petition so numerous signed, there might not be some names improperly put; but such a circumstance, if it did exist, would not detract from the general merit of the petition, and the respect and attention which were due to it.

The Duke of *Sussex* admitted, that there was a number of highly respectable names affixed to the petition; but he felt it necessary to state one circumstance which had been communicated to him respecting it. One individual called at a house, and asked the signature of the person who resided there to this petition. He was asked his name; which he made no objection to give, and handed his card. This person was then asked to mention those by whom he was employed, but this he refused to do. Now, he did not object to persons going round to obtain signatures to a petition, but it struck him, as not a little strange, that a person so employed should feel it necessary to conceal the names of those by whose authority he acted.

The Earl of *Eldon* said, he knew of no petition to which some objection might not be made, if every circumstance arising from the acts of those who were favourable to it were to be minutely examined. He knew nothing whatever of the circumstance to which the illustrious duke referred; and if he did, it would in no way alter his opinion with respect to the petition, signed as it was by so many respectable individuals. Still less would it diminish the weight which should attach to such a petition, when he knew that tricks might be resorted to, for the very purpose of having them stated to throw discredit upon petitions. He did not say that it was so in the present case; but the knowledge that such things were sometimes done, should make noble lords receive with caution any statement of circumstances which had a tendency to discredit them.

even though, as in the present instance, not mentioned with any such view.

Earl Grey said, he had no objection to make to the respectability of this petition, and still less to the mode adopted for getting it up. He could not, however, agree with the noble and learned lord that the country was in a state of great agitation on this question. When he said this, he was fully aware of the attempts made to produce excitement, by the circulation of papers and placards, representing the horrors which were felt in the worst days of Popery. These tracts were disseminated with great industry throughout the country. He held one of them in his hand, which was inflammatory enough, but he would not trouble their lordships by reading it; but he perceived by it, that they were printed by the Religious Tract Society. Notwithstanding the industry with which those attempts had been made to produce agitation in the country, they had, in a great degree, failed; and it was his firm belief that the sober sense of the country was favourable to the measure now before parliament. The noble and learned lord had stated, that there were the names of one hundred and thirteen thousand persons resident in London and Westminster and the places adjacent, affixed to his petition. He did not mean to deny that there were that number of names, nor did he object to the petition, though it came before them decorated with the colours of lord George Gordon; but he could not persuade himself, that there could be found one hundred and thirteen thousand inhabitant householders, in and near the metropolis opposed to the principle of concession. Judging from the deliberate act of the people in the choice of their representatives, he should be disposed to think, that the majority of the people in and near the metropolis were quite the other way. In Middlesex, both the members were in favour of it; in Westminster, both the members were also in favour of that measure: in Southwark the two members were in favour of it; and three out of four of the members for London likewise supported it, and he had heard of no demonstration of the displeasure of their constituents, for having taken that course. His inference, then, naturally was, that it was not a course displeasing to the majority. The petition was very properly worded; but one passage struck him as a new kind of doctrine; namely, that eligibility to poli-

tical power was not the birthright of any subject of his majesty, but a right which in a free country, could only be granted by the legislature. To such a proposition he begged to offer his dissent. He contended, that eligibility to power was the birthright of every British subject; but he would admit that its exercise might be restrained by the legislature, in that way which might be considered most conducive to the general benefit of the community. If the rights of individuals were opposed to, or inconsistent with, the public interests, those rights must give way; but unless it could be clearly shown, that they were inconsistent with the safety of the state, no power in that state could with justice prevent or restrict their exercise.

The Earl of Eldon said, that, after all, the question would be, whether the legislature had a right to withhold eligibility to power, which had been taken away by former acts. Such acts had been considered necessary to the maintenance of the constitution. For his own part, he was opposed to innovation: he had witnessed too much of its effects; and the best way to prevent such effects amongst ourselves was to oppose it in its commencement. With respect to inflammatory papers circulated through the country, he would only say, that though he could not approve of any thing inflammatory on either side, if the noble earl would name a day, and go into the question of inflammatory papers, he would read him paper for paper of that description, till the patience of their lordships would be exhausted, but he believed the noble earl would not be disposed to accept the challenge.

The Marquis of Lansdowne said, he could not let it go forth to the country, that this petition expressed the sense of the very numerous body, of which the petitioners formed a part. A few facts would put it beyond a doubt, that a majority of the resident inhabitant householders of the metropolis and its vicinity were not against the principle of concession to the Catholics. There was, noble lords knew, a regular and constitutional mode, by which the people took an opportunity of expressing their opinions to their representatives on great and important subjects, and of giving instructions, as to the votes of those representatives with respect to them. A month had nearly elapsed since the measures now before parliament had been in-

troduced; the opinions of most of the members of the other House, and certainly of all those representing the metropolis and its vicinity, had been declared by their votes. The great majority of those members had supported those measures, and yet their lordships had not heard of any public meeting of their constituents, for the purpose of giving them instructions on those important measures. At the last general election for Westminster, both the members chosen were in favour of emancipation, and not one elector stood forward to object to them on that ground. This could not be said to have proceeded from ignorance of their opinions, for they both had declared them openly, and one of them had, only a short time previous to the election, brought in a bill for the removal of the disabilities which affected the Roman Catholics, which was carried. The constituents of those hon. members must have been well aware of that fact, and of the vast importance which the addition of even two members must have been on a question, on which the strength of parties had been so nicely balanced; and if they conceived that the effect of the measure, which one of those members had introduced and carried, would be to endanger the Protestant establishments of the country, would it not be natural to expect, that some of them should come forward and propose members whose votes might, in the balance of numbers, avert from the constitution such imminent danger? Nothing of this kind was attempted. There was not an objection made as to former votes on this question, nor any intimation of instruction as to future conduct with respect to it. Was he, then, not justified in stating, that the petition before their lordships did not represent the opinions of the resident householders of London, Westminster, and the parts adjacent? That the sentiments contained in that petition were those of the parties who signed it, he did not doubt, nor did he mean in any degree to impugn their respectability; but he must contend, that it could not be taken to represent the sense of the majority of the resident inhabitants.

Earl Beauchamp presented a petition from the parish of St. John, near Worcester, against further concession to the Catholics.

Lord Lyttleton said, that a reverend gentleman, whose name was attached to

the petition, had already signed two petitions of a similar nature. Another of the petitioners, a magistrate, had done the same thing. He thought such conduct quite unjustifiable. It was calculated to swell the number of petitions, and to give them an artificial weight and importance. It reminded him of the trick practised at the theatres, of making the same men come over and over again on [the stage in different dresses, to give the appearance of a numerous company. A very improper hand-bill had been circulated in the parish, under the authority of the vicar, from which the petition proceeded. This hand-bill contained the following expression—“The wolf should not be permitted to intrude into the fold of the lamb, nor the heathen to sully the tabernacle of the faithful.” The hand-bill then proceeded to lecture on historical points. “We know,” it said, “from history, that the people of Great Britain came forward, like their ancestors, and said they would not have the laws of England changed.” The document concluded with a sentiment, that at all events had the merit of novelty: it expressed a hope, that two millions of Irish Protestants would be rescued from the relentless hands of the Catholics, who had for years been occupied in the work of persecution. The document concluded by calling on the legislature to “obey the wishes, the commands of the people.” He conceived it to be highly improper in any man, much less a minister of the church of England, to lend himself to the circulation of such papers. He hoped, however, that but a short period would elapse before such stimulants would lose their effect—when the people would no longer call their brethren heathens, nor pastors distribute inflammatory placards—when the ministers of the church of England would only desire to promote peace and brotherly love, and the people have no wish but to obey the laws.

HOUSE OF COMMONS.

Thursday, March 26.

ROMAN CATHOLIC CLAIMS—PETITIONS FOR AND AGAINST.] Mr. D. W. Harvey said, he had a petition to present from the minister and a great portion of the congregation of Protestant Dissenters meeting in Beresford Chapel, Walworth. He was desired by the petitioners to state, that though they were influenced by feel-

ings adverse to the concession of the Catholic claims, they would have been content to have left the measure of Catholic relief to the wisdom of parliament, but for two circumstances which had occurred in the course of the discussion, and against which they felt called upon to enter their protest. As Protestant Dissenters they disclaimed the right assumed by a set of ministers distinguished for their talents, their learning, and their influence, to arrogate to themselves the corporate character of being the representatives of the Dissenting Congregations of London. The petition from this body was represented as the petition of the committee of the three denominations of Protestant Dissenters meeting in Redcross-street; and, singular enough, and inconsistent enough it was, that while they charged the ecclesiastical authorities of the established church with being a body corporate, they had arrogated to themselves also a corporate capacity. It was stated, that those Dissenters acted an unwise and an ungrateful part who were hostile to the Roman Catholic claims. It was said, that they acted an ungrateful part, because, in the last session of parliament they were themselves relieved, by the assistance of the Roman Catholics, from the Test and Corporation Acts; but he denied that they had any reason to be grateful for that assistance, since it was a right, and not a favour, that the Protestant Dissenters demanded of the legislature. The petitioners likewise contended, that it was consistent with the principles of religious dissent to be adverse to concession to the Catholics. They stated, that the Catholics were the most strenuous advocates and supporters of religious establishments; and that in this country they were only Dissenters from necessity. They looked upon them as persons who were anxious to set up a rival establishment to the present establishment, and who were bent upon pulling down its temporal endowments. As Protestant Dissenters, they declared themselves to be adverse to all establishments; and, if they were not adverse, they were only schismatics. They further declared, that being compelled by circumstances to choose between two establishments, they preferred giving support to that which would tolerate and protect them, to giving support to that which was distinguished for its intolerant and persecuting spirit. So far as their definition of dissent went, he fully concurred with the

petitioners; but he could not agree with them in their prayer, not because he thought that concession was due to the Catholics as a matter of right and justice, but because he felt it to be a matter of expediency, and he might almost say, of indispensable necessity.

Mr. C. Pallmer had the honour of presenting to the House a petition from the county of Surrey, against the intended alteration of the constitution in favour of the Roman Catholics. When he stated that this petition had been agreed to at a very numerous and highly respectable meeting of that great, populous, and enlightened county, regularly convened, and at which the high-sheriff presided,—that it had been carried, after considerable discussion, by a very large majority,—it must be unnecessary for him to add, that if any petition of the people could be entitled to the attention of parliament, it was such a petition [Mr. Pallmer then read the petition]. He could add nothing to its irrefragable arguments; nor would he diminish their force by the weakness of his own observations. He had too frequently remonstrated with the House upon its dangerous and unconstitutional course, and he felt unspeakable gratification in the reflection, that this important petition had proved beyond all doubt, that he had done so in common with the feelings and the wishes of those who had for a time intrusted their rights and their interests to his care, and whose intelligence, education, information, wealth, and every other qualification, enabled them to form as sound a judgment upon this question as any other body of men either in or out of this House.

Mr. Denison said, that to all that his hon. colleague had stated, as to the numbers, respectability, and property of the assembly at which the petition was agreed to, and to all that he had said respecting the great majority by which it had been carried, he gave his willing assent. But, from his hon. colleague's declaration, that it spoke the sense of the county of Surrey, he must express his total and unqualified dissent. He could not believe that a county which had been so long distinguished for its liberality of feeling had given its sanction to this petition. If it had sanctioned it, then, much as he might regret that he was obliged to differ from his respectable constituents, still he would not sacrifice his own character or his own con-

sistency, by giving his sanction to such a petition, or by withdrawing his support from the concessions to the Roman Catholics now in contemplation—concessions, which were founded on expediency, on justice, and on every principle of civil and religious liberty. If this petition should prove to be a fair expression of the sentiments of the freeholders of Surrey, and if, in consequence of his entertaining different sentiments from them, he should not have a seat in that House in the next parliament, he should still reflect with pleasure that he had given his vote in support of the repeal of the Test and Corporation Acts, and of the measures now proposed for the restoration of their civil rights to the Roman Catholics. He would state to the House one or two facts, in explanation of the spirit with which this petition had been got up. The roads leading to Epsom were almost covered with inflammatory placards on this subject, and individuals were seen distributing them among the people from packs of them, which they carried on their backs. At the meeting the gentleman who seconded the petition now presented, avowed that he was the circulator of that atrocious placard, entitled “Queen Mary’s Days.” He would take that opportunity of correcting a report which had gone abroad, that that placard was disseminated by the Religious Tract Society. He believed the fact was, that that paper had been printed as a religious tract, but had not been disseminated, by that society. The disseminator was the seconder of this petition. For himself, he looked upon the intended measure as deserving that character which Mr. Burke had given to the revolution in Poland in 1791; namely, that “it was likely to benefit all, and to injure none.” He trusted that the bill would go successfully through all its stages; and if it did, he was sure that the right hon. Secretary, and the noble duke at the head of the government, would receive their reward in the gratitude of a loyal, brave, and enthusiastic nation, and in the prosperity of the sister kingdom, that most fertile but most neglected portion of the British empire; and that his majesty, when he had put his signature to the bill, would be the first sovereign in the universe.

Colonel Wood rose, to present a petition from the county of Brecon, against concession to the Catholics. It had nine hundred and sixty signatures, among

which were those of nineteen magistrates.

Mr. Stanley said, he did not rise to object to the bringing up of this petition, or to deny that it originated from a public meeting. Undoubtedly it was agreed to at a public meeting; but it was not signed there. It was agreed to on the 9th of March last, and had remained in the county till a very recent period. It had been hawked about from town to town, with indifferent success. When that was discovered, an active canvass was instituted in its behalf; and yet all these exertions had ended in gaining only nine hundred and sixty signatures, among which were many marks, out of a county which at the last election had polled upwards of two thousand freeholders. He had good reason for believing that the question, to which this petition referred, had been looked upon in the county of Brecon, in two erroneous lights. First of all, it was looked upon as a religious question, and parties were told, by persons who ought to be ashamed of spreading such a delusion, that they must make their choice between the Protestant and the Popish religion. Next, it was looked upon as an Irish question—as a question which, in some vague, indistinct, and scarcely intelligible manner, was to favour the lower classes of Irishmen, whom the Welsh generally looked upon with dislike; as they came into England after employment, and underworked them in the market.

Sir J. Mackintosh said, that although he was perfectly aware it was natural and reasonable for the House to feel impatient at being occupied for any length of time in the discussion of petitions, yet he hoped they would not object to hear him state the nature of the present; more especially as he had not attempted to engross any portion of their attention on the general question. The petition which he held in his hand was from Edinburgh, in favour of the Roman Catholic claims; or, in other words, from four-fifths of those classes of society who were, until the levelling spirit lately broke in upon the lower benches of that House, called the most respectable classes of the community, in the ancient capital of the most Protestant part of this Protestant empire—a capital which, in his opinion, was, by the very act of presenting this petition to pray the legislature to pass this bill into a law, performing one of the most noble duties of its high office, as the guardian of the

Protestant interests in Europe. This petition was agreed to by an assembly unparalleled in the history of Scotland; it was voted by a meeting attended by upwards of two thousand persons, and voted by four-fifths, some say by nine-tenths, of those who, until the late innovation upon the ranks of life, by some gentlemen in that House, were usually considered the most respectable classes of society. It was signed by a number somewhat under eight thousand; to the names of the individuals were attached their places of abode; a most severe scrutiny was made into the identity of every signature; all the precautions which could be devised were taken to prevent improper subscriptions; so that, whatever imprudence might have been committed by other persons employed in preparing petitions, these petitioners were free from the slightest imputation. Indeed, they had adopted a practice, which it would have been well if others had imitated—they had issued notices, disavowing all hand-bills and placards, except those which were issued under the signature of their own secretary. Very different had been the conduct of others in the city of Edinburgh, touching this subject. An author had been found to write a pamphlet, which he would not quote, unless he was compelled to do so by some more distinct allusion to it, but which was one of the most daring and treasonable libels against the House of Brunswick, as successors to the princess Sophia, under the Act of Settlement, that had ever been published. Of all the libels upon the House of Brunswick which had issued from the Scottish press, since the battle of Culloden, none had reached the daring of that to which he had alluded. Indeed, of it he would only say, that it required no little legal discrimination to draw the line between the seditious and the treasonable import of that work. When he pronounced this opinion upon its criminality, sorry should he be that the author should obtain the honours of martyrdom, to which he had perhaps aspired. In answer to the new democratists upon the lower benches, he was under the necessity of stating the character and names of some of the petitioners, in whose behalf he now claimed the attention of the House. This petition from the city of Edinburgh was signed by seven peers, sons of peers, or privy councillors, twenty-five knights of

the Bath and baronets, one hundred and fifty-five gentlemen of considerable landed property, one hundred and thirty practising advocates at the Scottish bar, leaving scarcely a dozen names of the profession who had not signed it; thus completing that high and distinguished union, which was formed, upon this question, with the Protestant bar of England, whose petition was last night presented by his hon. and learned friend, its head and ornament (sir James Scarlett), and the Protestant and Catholic bar of Ireland, proudly recording the general consent of the legal profession in all parts of Great Britain and Ireland—of those official professors of British law throughout the kingdom, who opposed their opinions to those invaders of the constitution who denied the hereditary right of the reigning family to the Crown, and asserted the privilege of altering the succession at their pleasure. These exclusive doctrines have now received their fullest contradiction upon the authority of the united knowledge of the bar of the three kingdoms. The petition was also signed by fifty divines, comprehending the chief dignitaries of the church of England and Scotland, and several ministers of that church; and including likewise the signatures of those who were once more anti-papal than any other class of divines, and in that respect exceeding in orthodoxy all other dissenters from the church of Scotland. It was likewise honoured by the signatures of the Principal of the Scottish Metropolitan University, and of sixteen of the professors of that renowned body, forming a great majority of its members. There were the names of twenty-one bankers, in a city, too, where so much of the commercial business was transacted by banking establishments: there were the names of six general officers, forty colonels, thirty-two admirals, captains, and other officers of the navy; of one hundred and ninety-eight physicians and surgeons; and of six hundred gentlemen, of various other branches of the law, besides advocates; and of two hundred and fifty merchants and traders of great respectability. If any addition were wanting to give distinction to this list, he could add, that it was signed by all the considerable men of the two parties who had divided Edinburgh between them in conflicting opinions, until the happy introduction of this measure, which had sunk all party spirit into oblivion; with

perhaps the exception of some few persons, against whose individual respectability he should not breathe one word. Had these names been arrayed six weeks ago in a petition, they would have been assigned to the Tories and Whigs; but now these distinctive appellations had been lost in the union of all parties, to perform a great act of national justice. There were, besides, appended to this petition no common names. At the head of the requisition, and near the head of the petition, was the name of a great and illustrious man, who might justly be called the most celebrated writer now living in the whole world, who had given more delight to the greatest number of human beings, in the same space of time, than any man who had ever preceded him in the walks of literature could boast of; and, what was perhaps still more pertinent to the present subject, a man as much above the common race of men in the attributes of common sense and sound understanding, as he was their universally admitted superior in genius and fame—he need not add, that the person to whom he alluded was the illustrious sir Walter Scott. Next that great name, he was entitled to place another, as connected with this subject, though not connected either by country or signature with this petition, and here he was at the same time doomed to indulge a melancholy reflection. Next to the first name in British literature he could place the first name in British science—he meant that of sir Humphry Davy; who, though now drooping on the bed of sickness, and suffering under the pangs of debility and disease, had yet mental firmness, and judgment sufficiently unbroken, to express by letter the glow of joy he derived upon hearing in a foreign land the glad tidings of the introduction of this bill, which, he said, he hailed as honourable to his religion and his country. At the head of those who took a most active part in the Edinburgh meeting was sir James Moncrieff—he who was elected by unanimous suffrage dean of the Faculty of Advocates, and who, independent of that high honour, enjoyed a more extensive legal practice than any of his great predecessors had ever approached. And here he would cite—not to exasperate passions, but to appease and conciliate them—that sir James Moncrieff was the son of one of the brightest lights of the church of Scotland,

whose venerable presence still rose in his mind, combining as it did the character of one of the primitive fathers of the church, with the port and bearing of a gentleman of ancient blood, in a degree which he had never before seen united in any man. Sir James Moncrieff inherited all the virtues of his father, and was, like him, the firm supporter of the Protestant church. As such, with heart and hand he had subscribed this petition; and he had no doubt his revered father, had he lived to this time, would have set him the example of doing so. He would call their attention, in the next instance, to an individual who had signed this petition, than whom no man was more eminent for exemplary piety, extensive learning and information, or for sincere anxiety for the welfare of the Protestant faith—he felt they must already be aware he alluded to that ornament of his profession, the learned, the philosophical, the eloquent, the pious Dr. Chalmers. Whatever might be the sentiments of that intelligent and eminent man on parts of this great question, he begged that no one would imagine for a moment, that it was possible Dr. Chalmers could consider this concession as the effect of a struggle between the Popish and Protestant religion. He, on the contrary, begged with the utmost sincerity that the legislature would disencumber the established church from the deceitful protection derived from disabilities imposed on our Catholic fellow-countrymen—that the House would relieve religion from the ambiguous armour which could add nothing to its capability of defence. He felt as that eminent father of the church, St. Austin, was related to have felt many ages ago, when the aid of the civil or armed power of the state was tendered to him by the pro-consul, for the protection and support of the African church. That excellent and exemplary divine replied, that he should indeed despair of the African church, if it stood in need of the military interposition of the pro-consul of Africa. He would ask hon. members who differed with himself, where could they find amongst the lights of the age and country in which he lived, a name more eminent than bishop Jeremy Taylor? And that, he thought with the petitioners in this instance, and with St. Austin in the case alluded to, was proved from the remarkable expression to be found in his works, where, speaking of the aids

which might be derived by religion from civil institutions, he, in language forcible and bold as the subject required, described all reliance on such aids, as a distrust in God to maintain his own cause and his own people. He felt it necessary here to defend those who were in the situation of the petitioners, from an inference attempted, very unfairly, to be drawn by the enemies of concession; namely, that toleration was, in this particular case, a mark of indifference to the interests of religion. As well might it be assumed, that we exposed our established church to the hazard of being supplanted by the idolatrous worship of the Brahminical religion, because we, in our vast empire in India, maintained the strictest union with the professors of that false and idolatrous faith, exercising the most watchful care over their interests, the protection of their persons from violence, and their property from invasion or injustice, and contributing largely to the maintenance of seminaries endowed for the very purpose of spreading the most absurd doctrines and idolatrous creed.—He would only trouble the House with one more remark, which he felt himself called on imperatively to make. It referred to the effect which the conduct of the legislature in removing Catholic disabilities would probably have on the Protestants scattered throughout the other countries of Europe. That effect it might be difficult to calculate, but it assuredly would be great. It was certain that at present Protestants were completely shut out from a vast number of places of trust and political station, in the two countries south of the Pyrennees; that in Italy they were only incapacitated by a palpable evasion; that in France, where they were very numerous scattered, they were disqualified in many instances, although many situations were open to them, both there and in Austria. There was every reason to believe, that a liberal line of conduct towards the Catholics of this country would produce an assimilated liberality on the part of those governments towards their Protestant subjects; but it was perfectly certain, that the worst consequences towards the numerous professors of the Protestant faith would result from the defeat of the present liberal and enlightened attempt of our own government to relieve our Catholic fellow-countrymen from civil disabilities. It would become those who professed themselves so anxious

for the Protestant cause, to ponder well what might be the possible retaliative measures resorted to by other governments towards their Protestant subjects; or what might be the injuries or injustice to which those subjects of governments, in some instances arbitrary, and in more than one tyrannical, might be exposed, should the beneficent intentions of his majesty and his ministers be thwarted and successfully opposed by their own absurd prejudices, and unjustifiable hostility. Mr. Burke had denominated sir George Saville's bill in 1778, as a bill framed for the toleration of Protestantism all over Europe. That such was the fact no one would deny; but how much more truly might it be predicated of the measure now in progress through parliament? To entertain alarm for the Protestant faith, and make that alarm the ground for the rejection of this measure, was worse than absurd, in these days of general enlightenment. In fact, the arguments were all the other way, and went distinctly to prove, that the effect of these concessions would be to support, secure, and strengthen our Protestant constitution, and Protestant faith; nor could the opposers of the measure, he thought, after they had reflected on the possible, or rather certain, consequences which its rejection would have on the fate of the Protestants of other countries; shelter themselves from the imputation—an imputation replete with disgrace and dishonour—that they had, by their triumphant opposition, rather proved their hatred to their Catholic fellow-countrymen, than their love for their Protestant brethren.

Mr. Trant said, he did not mean to deny the high characters given of the individuals who had signed this petition by his right hon. friend. On the contrary, he was cordially disposed to subscribe to all he had said on that subject. His right hon. friend had been pleased to talk of a levelling principle or feeling, which he described as prevailing among the opponents of these measures; and his right hon. friend had also talked of the “new democratists,”—a word he had never before heard of—as expressive of a class occupying a certain station in the House. If the term was applied to induce those with whom he acted to shrink from the discharge of their duty, he for one would declare, that he never would surrender, or consent to weaken the right of the

lowest class of the people, to represent their feelings and opinions to that House, in the same degree, as the men of intellect and knowledge—even of the modern Athens. In what had fallen from his right hon. friend as to the “new democrats,” he was reminded of the time when his right hon. friend was at the head of the meeting, where “the majesty of the people” was the prevailing sentiment. In the olden time, his right hon. friend had no objection to maintain “the majesty of the people.” He remembered that “the sovereignty of the people,” and such like terms, were frequently used by his right hon. friend, and those who were politically connected with him. His right hon. friend had made allusions to several professors of law, physic, divinity, and poetry, in the modern Athens. He had stated, that they were the most eminent individuals in Scotland, and that their opinions were all in favour of Catholic emancipation. That, however, was not the general feeling of the people of that country; for he had himself presented petitions from several places in Scotland, against concession to the Catholics. The ministers, by whom the petition was drawn up, had stated, that the sentiments expressed in it, were those generally felt in that part of the country. His right hon. friend had also ridiculed some of those who opposed the Catholic relief bill, because he considered that religion had nothing to do with the question. Now, he would insist, that religion had a great deal to do with it. He would prove it by a letter he had received from Ireland; and he was sure the House would agree with him, when he related a scene that had lately taken place in public, on the celebration of the tutelar Saint’s day, on the 17th of March, when several green flags were paraded about among the Protestants, who were required to bow down and worship them. Other excesses took place; and, in the midst of them, a bible was burnt. Surely, when this was done, it was time to say, that religion had something to do with the question. Let his right hon. friend and the philosophers of Edinburgh say what they would, the people of England and Wales, the Protestants of Ireland, and the people of Scotland, would not be persuaded that this was not a religious question. As to the charge, that he and his friends were actuated by a levelling principle, because

they maintained the rights of the lower classes of the people, he would, whatever his right hon. friend might do or say, adhere to that principle to the last day of his existence.

Sir *R. H. Inglis* said, the right hon. gentleman had asserted, that the question was one not between Protestant and Catholic. Now, he would insist, that it was not a question—as that right hon. gentleman had said, between toleration and intolerance. It was one of the greatest, and, in this case, the most mischievous error that any man could fall into, to state this to be a question of toleration, instead of describing it, as it was, a question of admission to political power; and he could not but regard it as a gross perversion of the language of bishop Jeremy Taylor, for what he had said had reference to religious toleration, and by no means to political power. The right hon. gentleman had said, that the Roman Catholics had on their side the highest authority in the Scotch church. To that he would reply, that, on the other side, there was at least the second authority in that learned and venerable body. The petitions which had been presented to the House proved that not only a majority of the clergy, but of the laity of Scotland were opposed to further concessions to the Catholics. There had been petitions from ministers, elders, inhabitants of parishes, synods, and almost every form which Scotch society assumed; and yet, in the face of all those petitions, they were told, that the people of Scotland were favourable to the proposed innovation upon the constitution.

Sir *G. Murray* participated in the gratification so eloquently expressed by the right hon. and learned presenter of the petition, at finding the views of his majesty’s government sanctioned by the approbation of so many men, whose genius and talents had raised them to deserved eminence. The means which had been resorted to by the opposers of the measure of conciliation, were as discreditable to the feelings of that party as they were unfair. He would only allude to a placard which had been circulated in, and posted on the walls of, Edinburgh, which, after asking, what was to be the issue of concession to the papists, replied in these terms:—“You are hereafter to have a Popish king, a Popish parliament, a Popish provost, and Popish lords justices of session, and Popish professors in your colleges, and teachers

in your parish schools." After such an unblushing tissue of falsehoods, assumed as arguments against the necessity of concession to the Catholics, the House and the country would duly appreciate the degree of intelligence which those persons possessed who could themselves adopt as true, or attempt to inculcate on ignorant minds, inferences as alarming as they were totally destitute of foundation.

Mr. *S. Bourne* asked the hon. member for the university of Oxford, whether he thought it quite correct to assert, that the Roman Catholics had nothing to complain of, when a professor of that religion, born not only to the possession of great property, but also of rights and privileges still more valuable—those which belonged to the peerage of the country—should be called upon to renounce the exercise of those rights and privileges, unless he would renounce his religion? This treatment might be called policy—it might be termed expediency—it might by possibility be said to be necessity—but toleration it could not be called.

Mr. *C. Grant* admitted, that in some parts of Scotland there did exist a strong feeling against the Catholic claims; and he had no doubt that names of great weight and respectability might be cited on that side of the question. This was not the first time that unfounded alarms had been spread through Scotland. The same fears had been excited a hundred and thirty years ago by the Union. The petitions then presented to parliament were still preserved as memorials of the sensitiveness of the Scottish people, and the petitions on this question would soon only remain as memorials of their sensitiveness on the present occasion.

Mr. *Home Drummond* denied, that the general opinion of the ministers of the Scotch church was against the bill of relief. Attempts had been made at the general assemblies of the Scotch church, at different times, to get up petitions against the Catholic claims; but the anti-Catholics had never been able to prevail on a majority to support them. The lower orders had been instigated in great numbers to sign petitions; but it was by misrepresentations, as to the question whether they should be a Protestant or a Popish country. The constituency of Scotland were not averse to concession; and the proof was, that only five Scotch members had voted against the Bill of Relief.

IRISH QUALIFICATION OF FREEHOLDERS' BILL.] On the order of the day being read for taking into further consideration the Report of this bill Mr. Dawson moved that the bill be recommitted.

Mr. *Moore* said, that in rising to move, that it be an instruction to the committee on the Qualification of Freeholders' Bill, that they have power to extend the operation of the bill to corporate and other towns sending representatives to parliament, and also power to preserve the existing rights of Protestant freeholders. He wished to state the grounds on which he was prepared to support the bill. There were two classes of persons who came forward to support the measure now before the House. Of these two classes, the one considered the disfranchisement of the elective franchise in Ireland as a price for the granting of emancipation, and the other considered it as a security to the Protestants for the same measure. He was particularly anxious, when he gave his support to the bill, that he should have an opportunity of explaining distinctly what the grounds were upon which that support was given. As a security for the measure of emancipation he disclaimed it altogether. He supported the bill upon the general principle of raising the elective franchise, and of guarding and protecting it from the fraud to which it had been subjected. He thought it ought to be carried into effect upon its own merits, and upon its own distinct grounds, and without reference to any other measure. As a distinct and separate measure it would be wise and useful; for, while it promoted the general improvement of the Catholic people of Ireland, it would protect them from the spiritual interference and domination of the Roman Catholic priesthood. It was under this impression that he had given his support to the measure, and, when he proposed that an instruction should be given to the committee to extend the operation of the bill to all boroughs, cities, and towns corporate, he could not help feeling, that every one of the grounds upon which he supported the bill required that such an addition should be made to it. When his right hon. friend stated his intention of excluding cities and towns corporate from the operation of this bill, it was upon the ground that they had the power of creating freemen. That ground, give him leave to say, was wholly inapplicable to a class of boroughs which appeared

to have been overlooked in this bill. He meant that class of boroughs where freeholders alone were allowed to vote. These representative towns, in his opinion, required all the protection intended to be afforded by the bill, as much as any class of towns in Ireland. There was a petition from one of those towns at that moment before the House, stating the situation in which the Catholic freeholders of that town were placed; and he did not doubt that similar petitions might be presented from many other towns in the same situation. He hoped, therefore, that the right hon. gentleman would not object to the extension of the bill to those towns. The introduction of a few words would render the machinery of the bill complete, and make it much more beneficial to the interests of Ireland. With respect to what had been said of the indefinite power of cities and corporate towns, he would beg leave to state that, in his opinion, the bill now before the House would not only be inadequate to effect the object of his right hon. friend as respected them, but would in its operation be highly mischievous to a corporate body. His right hon. friend proposed this measure as an equipoise between the freeholders and the freemen; but in his opinion it would not apply. The principle of his right hon. friend applied to cases in which a struggle was to be maintained between the two great bodies of electors—between the corporation and the freeholders. But, wherever a struggle of that kind took place, the power of the corporation would be carried into effect to such an extent, that the proposed counterpoise would be overthrown, and inadequate to afford the protection intended by the legislature. This being the case, let the House see what the consequences would be to both constituent bodies. He would first take the body of freeholders. How easy it was to extend the limits of the freehold bodies in many towns. In large corporate towns the limits of freeholds were not confined to houses and streets. Large portions of waste ground surrounded or lay in the immediate neighbourhood of many towns, which might be broken up into small freeholds, and thus, by a fraudulent and fictitious registry, the number of freeholders might be multiplied to a very great extent. Against this the machinery of the bill was incapable of guarding. Supposing this power to be exercised by the freeholders, as it most probably would, what

would it lead to? It would undoubtedly lead to a corresponding exercise of power on the part of the corporation—to that very thing which he had heard so much deprecated in that House—he meant to the increase of freemen. The corporate bodies felt themselves called upon, whenever attempts were made fraudulently or fictitiously to increase the number of freeholders, to increase the power which was vested in them of increasing the number of freemen. Under these circumstances, he thought the House must be convinced of the necessity of extending the bill to cities and large towns, where the populace, it would not be disputed, were not of a purer or more moral character than in the country. He believed that, in every city or town corporate, there was an acting officer such as a recorder. In his opinion, it would be better if a clause were introduced at the end of the bill giving to the recorder or his deputy the same power as was given to the assistant barristers who presided at elections. He took the liberty of suggesting to his right hon. friend the propriety of inserting a short clause to that effect. It was right, in his opinion, that the principle of the bill should extend to the cities and towns to which he had alluded at the commencement of his speech, where the purity of registry was just as much required as in the country. In conclusion, the hon. member moved, “That it be an instruction to the committee, that they have power to extend the operation of the bill to boroughs, and cities, and towns corporate in Ireland.”

Mr. V. Fitzgerald said, he would not detain the House long in stating the reasons which induced him to oppose the proposition of the hon. member for Dublin. The hon. member had stated the grounds on which he thought the machinery of the bill ought to be applied to all places returning members to parliament. The hon. member had stated, that his right hon. friend had supported the bill as it stood, on the principle, that it was a counterpoise to the predominant influence of corporations. For his own part, he had no recollection of his right hon. friend having used those terms; but he did recollect his right hon. friend having said, that in addition to other considerations, which his right hon. friend stated, it ought to be remembered, that in the greater part of the towns and cities there existed the right of extending the elective franchise indefinitely, and that

for that reason the bill could not be applied to cities and towns, without giving an unfair advantage to corporations. He perfectly concurred in this view; and he must say, that when the principle of these measures was, to confer an equality of civil rights, it did appear to him not a little inconsistent to propose, that the representation should be placed exclusively in corporations. There was a very considerable difference between the franchise in towns and the franchise in counties. It was undoubtedly true, that the freehold districts in towns were not confined to streets and houses; but surely the hon. member did not mean to contend, that there was, in and about the towns of Ireland, that very great, almost undefined, extent of ground, which would lead to such abuses as might be practised in counties. As to the power vested in corporations of creating an unlimited number of freemen, he could only say, that if there was any one circumstance more likely than another to endanger the rights of great corporations, it was the exercise of this power for the purpose of creating a predominant influence in elections, instead of for the purposes for which they were invested with the power. If there was any case—and the hon. member for Dublin would know if there was—of a corporation admitting freemen, not by name, but as members of certain political clubs, in order to control elections, he did think that the fact would weigh with the House against, and not for, a proposition, the avowed object of which was to diminish every other influence which could be opposed to that of corporations. The hon. member had said, that it would be easy to add a clause to this bill which would carry his proposition into effect. Now, he should protest altogether against the measure being coupled with this bill, even if it were one in which he was inclined to acquiesce. He meant no disrespect when he said, that it was impossible for gentlemen to be wholly free from the influence of the interest by which they were returned to parliament; and he must say, that if the proposition of the hon. member for Dublin was to be agreed to, without raising the qualification, it ought to be the subject of a subsequent measure, and at another time, though, for his own part, there would be no time at which he would consent to increase the power of corporations to so great an extent. The hon. member for Dublin had said, that there were judicial

officers in towns and cities which corresponded to the assistant barrister. Now, if there was any one thing which he liked more than another in the bill, after raising the qualification, which elevated the Irish voter, and gave to the Irish member a character which he had never yet possessed, it was the selection of the persons to whom the powers given by the bill were confided. No body of men had greater claims for their independence, for the excellence of their deportment, for their strict impartiality, and for the extent of their knowledge, than the gentlemen who presided at sessions in Ireland; and the Catholic gentlemen who had lately been raised to these stations were not inferior to the most eminent of the body. But, on the other hand, the recorder was an officer elected by the corporation. The hon. member had himself been a candidate for that office in Dublin; and the hon. member for Drogheda (Mr. Van Homrigh), who was at that moment speaking to the hon. member for Dublin across the gangway, was himself the recorder of Drogheda. Speaking with all respect of the hon. member for Dublin, he must say, that such a recommendation as this, coming from the hon. member, was not very likely to be attended to. His objection, however, was to the principle of the instruction. Far from conferring an equality of civil rights, it was calculated to recreate the most odious ascendancy; and he did, therefore, implore the hon. member not to press his motion. After the opinion which the House had expressed of these measures for tranquillizing Ireland, he could not understand on what principle any one could say, "I see you will accomplish what you want, but I will throw that in the cauldron which shall make it abortive."

Mr. *H. Grattan* said, he had never heard a proposition so extraordinary, so injurious, or so well calculated to revive those occurrences which they all deprecated, as the proposition which had been made by his hon. colleague. It went much further than the right hon. gentleman who spoke last, seemed to think. Its object was exclusion—the repeal of the act of 1793, which conferred the elective franchise on Roman Catholics, and at the same time the security of the rights of Protestant electors. The hon. member had certainly withdrawn the latter part of his motion, but it stood as he had stated it upon the notice; and this showed

the spirit by which the hon. member was actuated. It was strange that his hon. colleague, in his zeal against the Catholic forty-shilling freeholders, had overlooked one very important fact; namely, that there were but fifteen such in the city of Dublin; and another equally striking fact, that the corporation of that city had made not less than one thousand two hundred Protestant freemen in one day, for no other reason than that those persons happened to have attended a Brunswick meeting. Was it fair to object to a franchise to which the Catholics were so frugally admitted, and of which the Protestants had in corporations almost a monopoly? Indeed, it was a work of supererogation; for it was a curious fact, that more Catholics had voted in corporate towns immediately after the act of 1793 than in 1806; years after they had been legally admitted to a privilege of which his hon. colleague's proposition would deprive them.

Mr. *Van Homrigh* hoped the hon. member for Dublin would see the inexpediency of pressing his instruction to a division; the rather, as the bill of which it was intended to be an amendment, was one that many hon. members supported, not on its own merits, but from its being an appendage to a most beneficial measure. He thought the Catholics would gain by the one bill, more than they would lose by the other; and therefore he would support them both in their combined form. By the Franchise act of 1793, the Catholics were eligible to be electors: by the bill of the right hon. Secretary, they would be eligible to be elected: so that, though the disfranchisement bill would curtail their present privileges, the other measure would confer more than counterbalancing advantages.

Mr. *Trant* said, he was not one who had drank of the Lethean waters of oblivion, recommended by the noble duke at the head of the government, in a certain letter written shortly before the opening of parliament, and therefore he could not forget the arguments which hon. members had advanced against a similar measure to that before the House, brought forward in 1825 by the hon. member for Staffordshire. Upon that occasion, the hon. member for Dorsetshire contended, that disfranchising the forty-shilling freeholders could be no satisfactory security for the Protestant establishments, and he appealed to the hon. member for Limerick, who maintained

that it would be an efficient security, and that it would benefit the Protestant interests, whether Mr. O'Connell did not admit in his evidence, that the Catholics would be the persons benefitted by raising the rate of franchise? He agreed with Mr. O'Connell, and would therefore support the hon. member for Dublin's proposition.

Colonel *Trench* said:—I cannot agree in the opinions expressed by the hon. member who has just sat down, and by the hon. gentleman who has moved this instruction. On the contrary, I think the bill now before the House, will be a great national security to Protestant interests, and to the Protestant church; and if I had not felt the strongest conviction of the correctness of this opinion, I would never have given my consent to the introduction of the other measure, which I conceive to be inseparably connected with this; and to which I have afforded a most reluctant support, from a conviction that it was a measure of a most overwhelming necessity. Doubts have arisen in the minds of some persons, in consequence of a suggestion thrown out by the noble lord who represents the University of Cambridge; and who, founding his suggestion on something that had fallen from the Secretary of State for the Home Department, suggested, that although emancipation was to be for ever—this raising of the qualification might be limited in its duration. Sir, the right hon. Secretary of State gave a most satisfactory reply to that suggestion, and I allude to it, only because I know it made a strong impression upon the minds of others as well as upon my own; and if I could, for a moment, entertain a doubt as to the two measures going hand in hand, I would instantly withdraw my support from the bill for concession. My noble friend, the member for the University of Cambridge, is as honest and straight-forward a man as any in this House: but if the suggestion had proceeded from some old and wily political tactician, I own I should have thought it was intended to shake the faith of those who support the bill for concession, because it is accompanied by this bill for raising the elective qualification. But, Sir, independent of its being a security, this bill has peculiar intrinsic merits of its own—it is calculated to redeem the gross legislative errors of 1793, which conferred political power upon an ignorant

rabble, and withheld it from persons of education and property; and it will go far towards curing the evils of that system, some of which are the subdivision of lands, and an increase of population, which produces dependence, beggary, and perjury—while the advantages of the new system will be, that in endeavouring to acquire a franchise which will no longer be a degradation, men will labour and become industrious, and, in the course of their efforts, will acquire a taste for comforts which is so great a desideratum in Ireland. Hitherto the freehold system in Ireland has been a system of slavery, though latterly they have changed masters;—the priest has succeeded the landlord, and with this disadvantage to the poor man, that in his ecclesiastical helotism, he incurs the enmity and displeasure of the landlord, on whom depends his prosperity and comfort. I hope the consequence of this bill will be, the production of a respectable yeomanry in Ireland. Sir, there is one peculiar feature in all these transactions which challenges my approval and admiration—they have nothing to do with negotiation, with pope, or association; but they have been devised and prosecuted in the true spirit of legislation.

Mr. *Lloyd* supported the bill, but expressed his disapprobation of the instruction moved by the hon. member for Dublin, which he thought would have the effect of rendering the members of corporations omnipotent in their respective boroughs.

The motion was negatived.

Mr. *Moore* then moved, "That it be an instruction to the committee, that they have the power of preserving the existing rights of Protestant freeholders." The hon. member said, that the bill now before the House was intended to punish those Catholic freeholders who had, under the dictation of their priests, produced so much mischief in Ireland, and destroyed that connection which ought to subsist between landlord and tenant. He contended, however, that the Protestant freeholders had never been guilty of such proceedings, and that it was a gross injustice to subject them to the operation of the disfranchisement. The Protestants of the north of Ireland were some of the most intelligent and best educated of his majesty's subjects, and he should be guilty of a dereliction of duty, if he failed to point out the difference between them and

the Catholics, and the necessity of drawing some line of distinction. The Catholics who obeyed their priests, were, in his eyes, objects of pity, rather than of punishment. This, however, was a great political measure, and being so, it was necessary to avoid placing the innocent in the same condition as the guilty. He would say, "*Sic utere tuo, ut alienum non lædas*," and in the spirit of that maxim he proposed to refer the rights of the Protestant freeholders to the consideration of the committee.

Mr. Secretary *Peel* thought his hon. friend had acted wisely in not pressing his former resolution to a division. He also thought that when his hon. friend considered that his present motion was founded on a religious distinction, and not on political grounds, he would see the expediency of withdrawing it also. His hon. friend must see that it would not be fair to grant the Protestant freeholder a privilege which they took from the Catholic, because, as his hon. friend stated, the Protestants in the north of Ireland were respectable and uncontrolled in the exercise of their franchise by spiritual influence; for his hon. friend must know, that very many respectable Catholic freeholders, who had voted in favour of Protestant candidates, undismayed by popular clamour, would be disfranchised by the bill before the House, no less than the Protestant freeholders. There then existed no valid ground of distinction, so far as respectability and freedom from spiritual influence were concerned; and would his hon. friend rest his proposition on a religious distinction? He was sure he would not, and that the force of the maxim quoted by his hon. friend, "*Sic utere tuo, ut alienum non lædas*," would induce his hon. friend to withdraw his motion.

Mr. *Trant* said, he could not but feel that there would be a great balance against the Protestant interests in Ireland; and therefore he would support the motion of his hon. friend.

Mr. *V. Fitzgerald* felt himself bound to state, that he had never suffered one expression of censure or dissatisfaction to escape him, in consequence of the opposition given to him at a late election by the forty-shilling freeholders, and that he had never suffered himself to be at all influenced in his support of the present disfranchisement bill, nor to be at all influ-

enced in his private or public conduct, by that opposition. If he had any resentful feelings in consequence of that event, he had kept his word given at the time, that it should not at all influence the course of conduct which he had so long undeviatingly pursued towards his Catholic fellow-subjects. He had not deviated from that course; so that he might repeat the language of his right hon. friend and say "he had his revenge" [hear]. He supported this bill because he considered it a security which ought to satisfy the Protestants of the country. He supported it as affording the best reformation of the elective franchise in Ireland, and the most effectual means for the regeneration of that country. It was on these grounds, and on the grounds which had been detailed by his right hon. friend in introducing the measure, that he supported it; and no personal feelings whatever mingled with his advocacy of the measure.

The motion was negatived without a division.

Lord *Duncannon* said, he was anxious to state, before the House went into a committee on this bill, that though he had not altered his views with respect to it, for he still considered it a measure equally unnecessary and unjust, yet after the sense of the House had been so decidedly expressed upon it, and after the right hon. gentleman had declared, that he and his colleagues viewed this bill in no other light but as a portion of the great measure of Catholic relief, he should not take up the time of the House by giving to the bill any further opposition [hear].

Sir *H. Parnell* entirely concurred in the sentiments expressed by his noble friend. He also should feel it his duty to give no further opposition to the bill, lest, by so doing, he might impede the success of the great measure of emancipation.

Mr. *Estcourt* also conceived, that it would be only wasting the time of the house, to offer any further opposition to the bill. He wished it, however, to be understood, that in so doing he was not at all influenced by a desire to promote the success of the other measure of which this was an accompaniment, and to which measure he still entertained the most decided hostility.

Mr. *A. Dawson* concurred as to the utility of offering any further opposition to the bill, but he trusted that when in the committee, a clause which he intended to

suggest in reference to those forty-shilling freeholders who held in perpetuity, would meet with the support of the right hon. gentleman.

Mr. *Hume* said, he had been in many minorities, but he had never seen such a minority as that which voted against this bill. Never before had he seen extremes meet more completely than in the persons who composed that minority. He had opposed this measure, because he considered it an infraction of popular rights. He entertained the same opinion of it still; but he should do nothing further in the way of opposition, lest he might thwart the great measure of emancipation. He had voted against this bill as a reformer, a radical reformer; and on the principle, that the elective franchise should be given to every man who was of age, paid taxes, and discharged all the public duties required by the state. This bill would unjustly disfranchise many hundred thousands of freeholders in Ireland. Those freeholders had been guilty of no crime to justify such a punishment. In three or four contested elections which had occurred in Ireland, instead of displaying any disposition to riot, they had acted in a manner so peaceable that he would challenge any member to produce an example of similar moderation at any election in England. By the way, he would direct the attention of the House to the miserable state of the elective franchise in Scotland. An individual there, who possessed not an acre of land, but who held land as a tenant at a nominal rent, had a vote, while the substantial freeholders were excluded from the franchise. He trusted the right hon. Secretary would hereafter introduce a measure for remedying the defects in the state of the elective franchise in Scotland, with a view to introduce a substantial yeomanry in that country.

The Earl of *Uxbridge* observed, that, in his opinion, this measure of disfranchisement was altogether unnecessary. The abuse of the franchise was said to have taken place on account of the anxiety of the people of Ireland to promote the measure of emancipation; but as that object would be shortly attained, the inducement to the abuse of the franchise would no longer exist, and, therefore, he considered the bill quite unnecessary.

Lord *Sandon* thought the measure of disfranchisement would be beneficial to Ireland, as it would tend to create a better

and more substantial class of yeomanry in Ireland. He did not think it advisable, that the great body of the freeholders of a country should be moved by some great absentee landlords residing at Bath or Cheltenham. It was also a perfectly constitutional measure; for that House had repeatedly made arrangements connected with the regulation and control of the elective franchise. He thought that the inestimable advantage of equality of civil rights would infinitely more than compensate for any partial dissatisfaction that might be attendant upon the passing of this measure.

Mr. *James Grattan* said, he had opposed a similar bill to the present in 1825, and he would also oppose the measure now before the House. But at the same time that he protested against it, he did not think his majesty's ministers blameable for introducing it. The blame was due to those on whose representations and at whose suggestions they were obliged to introduce it. He was still of opinion, that the measure would give great dissatisfaction and be fatal in its effects.

The House resolved itself into the committee. On the clause, raising the qualification from forty-shillings to 10*l.* being read by the chairman,

Mr. *Moore* rose, to propose, as an amendment, that the words "twenty pounds" be inserted instead of "ten pounds." All the communications which he had received from Ireland concurred, he said, in stating, that the bill would not accomplish the purposes for which it was intended, unless the qualification was raised to 20*l.* As far as his own observation and experience went, he concurred in that opinion, and he therefore begged leave to move an amendment to that effect.

Mr. Secretary *Peel* said, he should give his most decided opposition to such an amendment. If his hon. friend would but look to the clauses which regulated and determined the 10*l.* franchise under this bill, he would see, that the present qualification afforded the most ample security, under such restrictions for its beneficial exercise, and a far better security than the raising of it to 20*l.*, under the existing system, would supply. He objected to this amendment also, because it would go to take the elective franchise from the counties, and to throw it into the great towns—to deprive the landed proprietors in the counties of their influence, and to

throw it into the hands of the shopkeepers in the great towns. The machinery of the bill imposed a severer test of the qualification, than the mere oath of the party, which was now the only test required. He certainly thought 10*l.* was a proper medium to preserve. It would not so much restrict the popular constituency as 20*l.*: it would, therefore, give more satisfaction, and, in his opinion, would be found quite sufficient for the protection of those interests which it was designed to guard.

Mr. *Moore* said, it appeared from the evidence given by Mr. O'Connell in 1825, that the raising of the franchise to 10*l.* would increase the Catholic, and diminish the Protestant, influence in Ireland.

Mr. *Peel* replied, that that evidence referred to the raising of the qualification to 5*l.* as contemplated by the bill of 1825; from which bill the present differed, not only as to the amount of the qualification, but as to the regulations under which the franchise was to be registered.

Colonel *French* conceived, that the raising of the franchise to 20*l.* would be more likely to establish a race of respectable and independent yeomanry and freeholders in Ireland.

Admiral *Evans* maintained, that in his opening speech on this subject, the right hon. Secretary had laid great stress upon the evidence of Mr. Blake, who had given it as his opinion, that it would be better to raise the qualification to 20*l.* The right hon. gentleman would of course rely more upon that authority than on the authority of Mr. O'Connell, as the respectability of the parties would bear no competition. Now, he would take a middle course, and would propose that the qualification should be raised to 15*l.*

Mr. *V. Fitzgerald* said, he had had as much experience and knowledge as the gallant admiral, of the elective franchise in Ireland, and he was convinced that a 10*l.* franchise, with the machinery accompanying it, was sufficient and ample to secure the objects contemplated by the measure.

Mr. *M. Fitzgerald* said, he supported this measure on the principle that it was intended to remedy the evils of an unreal and imaginary franchise. He thought this object would be amply attained by the qualification of 10*l.*, and he could not consent that it should be raised to a higher value. He was at a loss to reconcile the

conduct of those who objected to alter the forty-shilling franchise, and were yet ready to jump at once at the high standard of 20*l.* The higher qualification would disfranchise a large body of Protestants in the north of Ireland.

The Earl of *Bective* thought, that if the qualification were raised, there would be more Protestant than Catholic freeholders, and that it would prove extremely injurious to the Catholics.

Mr. *L. Foster*, after mature consideration, thought that the 10*l.* qualification, coupled with the machinery of the bill, would produce the desired effects.

Mr. *Trant* remarked, that the right hon. Secretary had said, that the evidence of Mr. O'Connell referred to the raising of the qualification to 5*l.* Now he would refer the right hon. gentleman to that evidence to convince him of his mistake. He would read an extract from a speech made by the right hon. gentleman on this subject in 1825. The right hon. gentleman at that period said—"He would now examine how far the measure would affect the Protestant interest in Ireland. Mr. O'Connell had stated in his evidence, that this bill would have the effect of lessening the power of the aristocracy, and of increasing the influence of the Roman Catholics." What were the effects which the right hon. gentleman then attributed to the bill, which was then before parliament, and which he himself contended at the time went to raise the qualification to 10*l.*? The right hon. gentleman then said—"He would now beg the House to consider what the effects of this measure would be. Was it desirable, he would ask, to hold out a bonus to the multiplication of 10*l.* freeholds? Would it give Ireland such a yeomanry as its friends would wish to see established in it?" To be sure this was in 1825; and wonderful things had come to pass since. Mr. O'Connell stated in his evidence, that the raising of the qualification to 10*l.* would increase Catholic influence, and diminish that of the aristocracy. The right hon. gentleman fully agreed in that opinion in 1825, but in 1829 he was himself the person to introduce a bill raising the qualification to 10*l.* That was rather extraordinary, even in these extraordinary times.

Mr. Secretary *Peel* said, it was true, as his hon. friend had stated, that wonderful things had happened since 1825 [hear,

hear!]. His hon. friend was one of the greatest plagiarists he had ever known; he had always his book ready to refer to [hear, and a laugh]. He would say to his hon. friend, "Pereant, qui ante nos nostra dixerunt" [hear, hear!]. Though his hon. friend was now adverse to the measure proposed by his majesty's ministers, yet, if a general election were to take place to-morrow, during the present state of the franchise, his hon. friend would be soon convinced of the necessity of adjusting this question in the way in which he hoped the House would now adjust it.

The committee then divided: For the Amendment 16; Against it 112. Majority 96.

List of the Minority.

Arbuthnot, colonel	King, hon. H.
Archdall, M.	Moore, G.
Corry, viscount	Maxwell, H.
Cole, hon. A.	Pigot, Graham F.
Downie, R.	Rochfort, G.
Dundas, R.	Saunderson, A.
Elphinstone, J. D. B.	Trench, colonel
Fyler, T. B.	Wynne, Owen
Handcock, R.	

The other clauses were then agreed to. The House resumed, and the report was ordered to be received to-morrow.

HOUSE OF LORDS.

Friday, March 27.

ROMAN CATHOLIC CLAIMS — PETITIONS FOR AND AGAINST.] Lord *Holland* said, he rose in compliance with the regulation which their lordships had adopted of having peers present petitions in the order in which their names were entered for that purpose. Of the regulation itself he did not complain, though it was unusual; but he admitted that, at the present time, it was justified by the circumstances in which it had arisen. In offering to the attention of their lordships the numerous petitions which had been committed to his care, he felt it a duty to the petitioners to say, that the state of his health was the only cause why he had not presented those petitions at an earlier day. He would not on this occasion, make any profession of abstaining from discussing the subject to which the petitioners referred, because he generally found, that such professions were followed by discussions more or less long: without any profession, then, he felt it his duty to state the allegations of the peti-

tioners and the nature of their prayer; but as it would be more fatigue than he was then able to bear to go through all the petitions separately, he would content himself with stating, that all of them, with two exceptions, referred to the great measure which was soon to come before their lordships—they all expressed the satisfaction of the petitioners at the introduction of that measure, and prayed that it might be passed into a law. Nearly all the petitioners were Protestants, or Protestant Dissenters, and their prayer afforded a proof that they did not think the emancipation of the Catholics fraught with danger to the constitution, or to the reformed religion of the country; for it was a fact well known, that the Protestant Dissenters were even more jealous of popery and of popish tyranny than the members of the established church. The majority of the petitioners were from this part of the United Kingdom. The first petition was from members of an association of Protestant Dissenting ministers of the three denominations residing in and within twelve miles of London. This petition came from a body of men not recognized by law, or existing in any corporate capacity. They belonged to an association which had existed for nearly a century, and was first formed for the purpose of endeavouring to procure the repeal of the Sacramental Test. These enlightened persons had assembled together for the purpose of considering a petition to parliament for the removal of all civil disabilities affecting Roman Catholics, and after a discussion of some length and warmth, the petition now before the House was agreed to by a majority of at least three to one of those present, and was afterwards signed by three-fourths of the members of the association, thus affording a fair specimen of the feeling which pervaded the Protestant Dissenters on this great question. The next petition was from the ministers of the southern Presbytery of Dublin; and respecting this petition he was instructed to state, that it was the practice of the petitioners to abstain from taking part in political subjects, nor would they have deviated from that practice, had not their silence heretofore been grossly misinterpreted. It was this circumstance which induced them to sign the petition he now presented. This body like that from which the first petition came, had no corporate capacity, but it was composed

of men of very considerable influence amongst the class to which they belonged. The noble lord then proceeded to present about forty similar petitions. The one from the town of Northampton had been intrusted to the care of a noble lord connected with that county, but who was prevented by ill-health from attending in his place. This petition was very respectably signed. The next was from the town of Nottingham and its vicinity. Those with whom it originated had not felt it necessary to ransack gaols or work-houses for signatures, and it was not signed by any children or lunatics. There had, he was aware, been a petition of an opposite kind presented from the same place, much more numerous signed. It was taken into the gaol, and was there signed by every one of the prisoners, who he should have thought would be the very last persons to petition against emancipation [a laugh]. He had now to present to their lordships a petition from the town of Leicester, signed by five thousand, five hundred and thirty four inhabitants. It was agreed to at a public meeting, where the subject was openly discussed, and all who attended were quite convinced, that the tendency of emancipation would not be to give them a popish king or a popish parliament, but that it would tend to strengthen the constitution, by uniting all parties in its support.—He had now to call their lordships' attention to a petition from a large number of respectable inhabitants of one of the largest and most populous cities of the kingdom—the city of Glasgow. This petition, he was aware, did not speak the sense of the majority of the population of that place; but this would not surprise those who knew the means that were adopted on the other side, as well to procure signatures to a contrary petition, as to deter persons from signing that in favour of concession. The means adopted for that purpose were not in any way creditable to those who employed them. They were, in some instances, little short of open force; for persons were stationed at the doors of the House where this petition lay for signatures, openly denouncing those who had the audacity to sign. Yet, notwithstanding these efforts, and the delusion under which so many in that city laboured on this question, the petition would have been much more numerous signed if many who were favourable to the mea-

sure did not think it unnecessary to interfere, as it had been taken up by his majesty's ministers, in whose hands they thought it would be best to leave it.

The Earl of *Haddington* said, he rose with feelings of great satisfaction to present a petition from certain most respectable inhabitants of the city of *Edinburgh* in favour of emancipation. He was sure that no petition which had been laid on their lordships' table was deserving of more attention, whether with reference to the place from which it came, or the great learning, talent, and acquirements of those whose signatures were affixed to it. The place from which it came was, it would be admitted, the most Protestant of any of this Protestant empire,—the capital of the most Protestant of all the countries which had embraced the principles of the Reformation,—which, next to the metropolis of *England*, had been most distinguished for its enlightened and liberal views. This petition had been agreed to at a meeting convened by public advertisement, and at which from one thousand eight hundred to two thousand persons were present. Many of their lordships had no doubt seen, in the public papers, an account of that meeting, and had read some of the admirable speeches which were there delivered. If he mentioned the names of many who attended that meeting, it would show that it was not one which originated in party feeling; for it would appear that men of all denominations, and of different parties, joined on that occasion in praying the legislature to abolish the civil disabilities affecting their Roman Catholic fellow subjects. The chair at the meeting was filled by a worthy baronet who had filled the civic chair as chief magistrate when his majesty honoured the northern metropolis with his presence; and he was sure that all who had the pleasure of knowing sir *William Arbuthnot* would admit, that a more amiable or respectable man, whether in public or private life, did not exist. The first resolution of the meeting was moved by a most distinguished man, who had the honour of being at the head of the bar of *Scotland*. When he mentioned the name of sir *James Moncrieff*, he named one who was distinguished not only by his own great talents and acquirements, but by his inheritance, not merely of the name and rank of his father, but for that of his enlightened principles, and his devoted attachment to

that church of which he was one of the greatest ornaments. The name and principles of sir *Henry Moncrieff*, and of his worthy descendant the *Dean of Faculty*, should be in themselves a guarantee, that the measure which they supported was not one which would tend to subvert the Protestant religion. Those who saw the next names attached to the petition, would readily believe it possible that the great measure which they advocated might be carried through without any danger to the constitution or the Protestant establishments of the country. Those were the names of *Jeffrey*, *Cockburn*, *Murray*, and, he might add, those of his relation, solicitor-general *Hope*. The most distinguished speech made on that occasion was that of the venerable *Dr. Chambers*, which certainly was one of the most eloquent addresses he had ever read. That great divine saw well the props and defences which had been placed round the Protestant worship in the penal code; yet, for the sake of the advancement of that religion, he implored their lordships to remove those props. He had contended, in a strain of unrivalled eloquence, that the Protestant religion had made its way through all difficulties, by the force of naked unassisted truth; that at a time when real difficulties were opposed to its progress, it triumphed over them, and spread itself over the land by the force of truth alone; and he went on to prove, that the greatest obstacles which the principles of the Reformation had to encounter in the sister island were those props and fences which the law had placed about them in that code of exclusion. However strange it might sound in the ears of those who thought that the Protestant religion was best supported by such props, the reverend divine had proved unanswerably, that those props were its greatest obstacles, because they enlisted the best passions of men against it. The petition was also signed by another distinguished man—one who had contributed more to the delight of his fellow-mortals, for his readers and admirers were not limited to his own country, or the empire to which he belonged, than any other writer of the present day. It was the opinion of this celebrated individual, sir *Walter Scott*, that in passing the measure now before Parliament, more would be done for the peace, tranquillity, and prosperity of the country, than by any which

had been passed for more than a century. He must, also, notice the signature to this petition of a most excellent man, who, in the evening of an active life, when most men desired rest and retirement, was still energetically engaged in spreading the blessings of religious instruction in the most remote parts of Scotland. The individual to whom he alluded was the rev. Dr. Baird, the venerable principal of the University of Edinburgh. The very names of such men as Dr. Baird and Dr. Chalmers ought to be a guarantee to all who feared any danger to the Protestant religion from concession to the Roman Catholics. The petition was signed by one hundred and fifty-five private gentlemen, by the principal and sixteen of the professors of the university, by twenty-one bankers, by fifty clergymen, by a vast number of the members of the learned profession of the law, by writers to the signet, by solicitors, by between two hundred and three hundred merchants and traders; and the rest of the petitioners were made up of small proprietors, burgesses, and householders. He therefore said, that no petition had ever been presented to parliament of which the great bulk of the signers were more competent to form a correct opinion on the question, than the one which he now offered to their lordships' notice. He had omitted to mention that the petition was also signed by one hundred and twenty-eight of the practising barristers, forming a large majority of the whole Scottish bar. Thus the bars of England, Ireland, and Scotland, had petitioned their lordships to remove the disabilities which pressed upon their Roman Catholic countrymen, and he must confess it appeared to him very extraordinary, that if, as some persons chose to represent, the granting of the Catholic claims would endanger the constitution of 1688, this view of the question had not suggested itself to the learned, studious, and sagacious, members of the bars of England, Ireland, and Scotland, who had petitioned parliament. The bars of the three countries had concurred in petitioning the legislature to restore to their Catholic fellow-subjects those rights which they enjoyed in the olden time, which were suspended from necessity, but which should now be restored, because that necessity no longer existed. The result of his analysis of the petition was, that it was signed by upwards of seven thousand six hundred persons. He understood that a petition of an opposite

nature, signed by eighteen thousand persons, would shortly be presented to the House from Edinburgh. Yesterday a petition had been presented to their lordships, signed by one hundred and thirteen thousand persons, and the Glasgow petition was signed by thirty-six thousand. He did not consider, however, that this was a question to be decided by the number of signatures. He said this with the most perfect respect for the right of petitioning, and the most perfect good will towards those who differed from him in opinion. If the question were to be decided by counting the number of names attached to petitions, the cause of emancipation must be abandoned; but he conceived that parliament ought to look to the intelligence of those who petitioned in favour of concession. It appeared to him that the great bulk of those who had signed petitions on the other side (though there were many men of great intelligence among them) had signed them without possessing an adequate knowledge of what they were signing. To the petitions of these persons parliament ought not to pay so much respect as to those which emanated from the better-informed classes. How was it possible that a hard-working, industrious labourer or artisan should be able to solve a difficult question of state policy? It appeared to him, that he was casting no imputation on those classes in expressing this opinion. It was quite impossible that they should know any thing about the matter. They had less time for consideration than the richer classes, and consequently they were more easily deluded by the representations of interested men. In all parts of Great Britain, the clergy had treated the question only as a religious one. If it were a question, whether we should have a popish parliament, a popish constitution, and a popish church,—if it were a question, whether we should be all Catholics instead of being exclusively Protestants, those who petitioned against emancipation would be perfectly competent to decide upon it; but it was because the question was not what the petitioners conceived it to be, that he did not regard their numbers, and thought that the legislature should pay more respect to the expressed wishes of those who were intelligent, who perfectly understood what were the advantages to be obtained by repealing the exclusive laws, and what were the dangers

which would result from maintaining them.

The Bishop of *Lichfield and Coventry* presented several petitions from places in Staffordshire, praying, that no further concessions might be granted to the Catholics. The right rev. prelate observed, that he could not afford his full concurrence to the prayer of the petitions. He would decline expressing a decided opinion with respect to the measure proposed by government, until he saw the shape in which it would be introduced to that House. He trusted that when the measure should come before their lordships, it would be discussed without imputation on the one hand, or menace on the other. A very serious responsibility rested on those who had proposed a great alteration of what were conceived to be the bulwarks of the British constitution; but an equal responsibility rested on those who rejected this opportunity of making a change, if it ought to be made, and thereby consigned seven millions of their fellow subjects to interminable feuds, and perhaps the horrors of civil war.

HOUSE OF COMMONS.

Friday, March 27.

ROMAN CATHOLIC RELIEF BILL.]

Mr. Secretary *Peel* moved the order of the day, for taking into further consideration the report of the Committee on this bill.

Sir *G. H. Rose* observed on the disadvantage in which every one stands who has to advocate a cause of exclusion of large classes of citizens from political power, which is one which in itself is so uncongenial to every liberal mind, that it tames the temper and cripples the imagination of even the most experienced orator, who has, moreover, in opposing the present measures, that extreme discouragement which arises from the knowledge that he is fighting against one of the strongest propensities of human nature—the preference of present ease and freedom from pain, to suffering and inconvenience for the sake of future security. He must strongly object to the assumption, that this is a political question, if it is meant to be urged that it is exclusively such; for were it such he never should have opposed the admission of his majesty's Roman Catholic subjects to the full rights of citizens. Etymology and common sense tell us that the politics of a state are con-

stituted of whatever makes its weal or its woe. That religion is the source and root of all this matter, appears even from every provision of the present bill, which turns upon nothing else; and the whole question has no other source than the divisions in religion of large classes of the subjects of the state. In looking to what has passed, he admitted that it was but with too much truth that the right hon. Secretary had stated his surprise that, if the English Protestant church and state took so deep an interest in the support of the Protestant cause, they made no efforts to introduce the gospel into Ireland. He certainly considered such a reproach was but too well founded. The Reformation found the English in Ireland and the Irish divided in territory, language, feelings, and interests, having religion alone in common; but the Reformation, embraced by the English alone, raised a more insurmountable wall of separation than had ever before existed; and it was marvellous that the politic Elizabeth and her able ministers, if not for the sake of religion, at any rate in sound policy, had not made every possible effort to abate that evil—a tenth part of the men and money employed by her to support the Protestant cause in Holland and in France would have secured the state of England far more usefully in conveying the reformation to the Irish, than any measures for the weal and safety of the state that could have been devised. Now, however, this cause of reproach was done away with, since of late years various societies, some under the sanction of the government, have been, in various shapes and systems, making great exertions for the promotion of scriptural knowledge in Ireland. In speaking of the Roman Catholic subjects of the king it would cost him nothing to do it in perfect temper and good will, any more than to bring those feelings to bear on the whole of the question. They had sought eagerly, and at times it appeared illegally, their objects; but were encouraged so to do when not repressed, and the greatness of the object before them accounted for the vehemence of the pursuit. In speaking of their church he wished to omit all avoidable harshness of expression—he had the consolation to know he could not speak as ill of it as it did of that to which he belonged; but there was a great peculiarity in its doctrines which it was important to remark. You cannot treat them as other dissenters

from our church, since the far greater part of the Dissenters are separated from us far more by church discipline than doctrine, in which the difference from those of our church in regard to the largest sects cannot be practically asserted to exist; but with regard to the Roman Catholics the case is one of extreme heresy, which, however, has very remarkable features. In other heresies the origin is purely theological, and nowise affects the relation of the priesthood to the state. It exists in erroneous opinions in theology, but which nowise influence the relation of the priesthood entertaining them to the public; whereas in the church of Rome there is no one tenet which has not its origin in its views of forming a priesthood separated as much as possible from the mass of the people, and vested in the overpowering authority. It is clear that in the early ages of christianity the priesthood, constituting a numerous and powerful body, possessing all the learning of the state, and in possession of the spiritual interests of the people, succumbed under the temptation to embody a series of doctrines, which it augmented successively, such as the Pope's infallibility, the worship of saints, the celibacy of the priesthood, absolution, auricular confession, &c., all tending to create a priesthood apart with unrivalled authority; and this being so, every interest, both personal and professional, is wrapt up in the maintenance of the system, which must be either maintained entire, or perish. There can be no measure for the systematic and energetic support which the whole body of the Roman Catholic clergy must give to the maintenance and extension of their church, and thus, in Ireland, the people being detached from their sovereign and their nobles by a dissimilarity of faith of an extreme nature, the Irish Roman Catholic people are thrown wholly into the arms of their priests for counsel, guidance, and protection; and hence arises their exorbitant power, the action of which, in the state of the Irish Protestant church, is obvious. They have not a juster, but a stronger, claim to its temporalities than the gratuitous concessions now made. Those temporalities were theirs; they were, in their view, unjustly disposed of them by heretics for heretical purposes, and to maintain a few pastors of slender flocks; whilst their own had to contribute to that heretical church, as well as to support them. But we are told, if

the Roman Catholics, in bad faith, shall rush down on the church of Ireland, the government, strong in a good cause, will have no difficulty in repelling the invasion. But let us consider that its power must come from the parliament and the people; and how will the case stand with both? It has been shown by others, that a body such as the Irish Roman Catholics, will be in parliament, will act by uniformly holding together in a common view. Such a squadron, keeping apart from the battle till the ranks of the combatants are ragged and thin, will inspire awe and mistrust and fear on all sides, and give the victory where they please. As to the church of Rome, he considered it as a far more dangerous church than it was before the French Revolution, when the leading governments of Europe entertained feelings more or less of aversion to it. It has less atheism and infidelity in its members than it had. Reduced in temporalities, it has less temptations to vice and splendour; it is hardened by adversity, and excited by what it has undergone to increased exertion. Witness its but too successful labours in the Turkish dominions to obtain the aid of the Mahometan against the missionaries of other churches. It has the full support of the Roman Catholic powers. He had recent information, of indisputable authority, that when the news of the king's Speech reached Rome an ecclesiastic of high authority and consideration there exclaimed "Ours was always the universal church;" it will now be seen to be the universally triumphant church and his correspondent believed, in opposition to an opinion entertained by many, that the art, vigour, and consistency displayed by the leading men of that church, in furtherance of their object in enslaving the other churches, must ultimately be victorious. Then take a lesson from the recent history of the Jesuits. The court of Rome, in or about 1759, was compelled by the Catholic powers to annihilate the Jesuits by a bull. They took refuge in Russia, and, in sixty years, were supported in men and money by Roman Catholic Europe, which could not possibly have happened, had it not been with the privity of that court of Rome, which, however, in the exercise of its infallibility, had ostensibly destroyed them. In 1819, they were driven from Russia, in consequence of their proselytizing their pupils to the church of Rome, and returned into Roman

Catholic Europe; in truth rebels to the whole power of the Papacy, had not the church of Rome acted with the deepest duplicity, and were instantly re-established. He had heard in 1814, a distinguished Roman Catholic statesman, the minister of a Roman Catholic state, express great anxiety as to what the congress of Vienna would do respecting the Jesuits, and he predicted, that if it did nothing, in a few years they would convulse Europe. The congress left the matter untouched, and this prediction was nearly verified in them this last year, in the crisis of the French government, brought on entirely by that order. As to the securities, it was idle to consider them as such. When you gave to men concessions beyond their utmost hopes, the retention of a couple of offices which are under the entire influence of one who may be a Roman Catholic, and the re-enactment of laws, existing long since in substance, against Roman Catholic religious orders. In the absence of all other securities, some limiting of the spiritual influence of the court of Rome on his majesty's Roman Catholic subjects might at least have been looked for. It may be said that, during a hundred and fifty years, we did well enough without any check on it; but, in reply, it is to be observed, that we knew not, during that time, that the court of Rome had given the nomination to every Roman Catholic dignity in the church to the Pretender's family; and precautions formerly less necessary became imperatively such, when the Roman Catholics are admitted into parliament, and to nearly all the highest offices in the state. If any one recurred to the example of the most eminent men of modern times—the great king of Prussia, and Napoleon Bonaparte, the one a Protestant, the other a Roman Catholic—we find the former uniformly naming the successor to every Popish bishopric in his dominions; and Bonaparte declaring, in 1809, that the spiritual influence of a foreign potentate was inconsistent with the independence of France, and the dignity and safety of his throne, and yet that influence we left uncontrolled. The hon. gentleman said, that a few weeks back he had stated, that on the entrance of Roman Catholic members into the legislature it would lose its Protestant character, since, where the religious differences are so extreme, no religious question could possibly be agitated without consulting the House; but,

instead of Protestant, he ought to have said its christian character, since even the mention of religion must be banished from its deliberations; and this would be felt most in the upper House, where the bishops sit on the part of our church, and who may be encountered there by dignitaries of the church of Rome, bishops and cardinals, members of noble Roman Catholic families, who may succeed to peerages by the demise of their relations, and whose right to sit in the House of Lords would be unimpeachable. Upon the whole, the bill in progress left him nothing but the gloomiest forebodings of the future fortunes of the church and of the state; but no prophet ever so ardently desired the accomplishment of his predictions, as he did the frustration of these forebodings.

Colonel Trench said:—I am anxious to say a few words upon this important subject, because I am prepared to avow sentiments different from those which I have hitherto entertained; and I am the more anxious, because the opinions which I find myself now obliged, by an overwhelming necessity to adopt, differ from those of a considerable portion of persons with whom it has been my good fortune and my pride (hitherto) to agree in every point of public policy, and to whom I am bound by the indissoluble ties of esteem and gratitude. I feel deeply the duty I owe to these highly-respected individuals: but I feel still more deeply the paramount duty I owe to my country, and to my conscience. There are times when it may become the bounden duty of public men to abandon determinations once made, and which, if persevered in, may prove highly injurious to the interests of the country at large.—Sir, ever since I first became acquainted with the real state of Ireland, I have been a constant and conscientious opponent to Catholic concession, and why? Because I saw an uneducated, enthusiastic, superstitious people, blindly subjugated to the dominion of their priests; and because I dreaded that this priesthood might one day become a powerful political engine. The lapse of years has made very little alteration in the situation of the people, and my anticipations are more than realized as to the priests becoming political agents and political agitators. Education has been stifled by causes not altogether Catholic; every social tie has been dissolved, and the dearest domestic connexions snapped asunder in the furious animosity of party violence.

In the midst of this anarchy, the Catholic Association gradually assumed a despotic power, not only over Catholics, but, through the influence of fear, over many Protestants also, while the government stood by, and permitted this new tyranny to establish itself. The natural consequence was, that Protestants formed Brunswick clubs in self-defence, and the opposite parties ranged themselves in hostile array, waiting but a signal or an accident to begin the conflict.—Such, Sir, was the state of Ireland when his majesty's gracious message proposed concession, and this proposal was supported by the duke of Wellington and by the right hon. the Secretary of State for the Home Department. Sir, I will never yield up my honest conviction to either the monarch or his ministers; but when I see his majesty's recommendation brought forward by two such men,—men who have always been the most firm supporters, and most zealous advocates of the Protestant constitution,—I feel bound to renounce my own strong and deeply-rooted prejudices!—for I believe the right hon. Secretary of State for the Home Department to be a truly honest statesman; and I am confident that the noble duke at the head of his majesty's council, is as disinterested, as able, and as intrepid, a minister as ever wielded the energies of this great empire. I have given the subject the best consideration in my power, and the result is, that I feel myself compelled to support the measure proposed.—The right hon. member for Louth has stated, that only three courses presented themselves:—to let the parties fight it out, to settle the question under Protestant auspices, or to settle it under Catholic auspices. I think another course might have been pursued in 1823, 1824, 1825, and even later. I would have drawn a circle round the throne, the cabinet, and the Houses of parliament, and have conceded everything else; and by this means, I think, the necessity of the present measures would have been prevented; but, as matters stand now, we have only a choice of difficulties—a partial, or a total revolution. Some gentlemen talk lightly of civil war, and maintain, that the Protestant power was quite sufficient to put down the Catholics in Ireland. Sir, I, who have witnessed the horror of civil war, would make great sacrifices rather than expose the country to so dreadful an evil;—but what would be the result? Why, after wading through seas

of blood, and after a war of burnings and of massacre, we should find this question in precisely the same situation; and we should stand with our arms crimsoned in blood, and our country one scene of desolation. You cannot sink Ireland in the ocean; and there is no third course—you must coerce, or conciliate.—Under this impression, I give a reluctant consent to the measure now proposed. I think I could point out how we have been betrayed into our present fearful situation. But the temple of the constitution is on fire; and, instead of pausing to inquire for the incendiary, I will endeavour to stop the conflagration, and save as much as I can from the flames.

Mr. Bradshaw said, he was happy to perceive that his majesty's government had, by the simplicity of the measures introduced, avoided implicating itself in the maintenance of the errors of the Romish church. He felt this to be a subject of congratulation, and trusted the House would join him in support of the government, and thus confer an important benefit on a country which so eminently needed the care and attention of the legislature, for its pacification and improvement.

Mr. O'Neil said:—I beg leave to direct the attention of the House to the observations of the hon. and gallant member who has just addressed it. The hon. and gallant member says, that we should not now inquire how the evil was created, but how we can best escape it. I submit to the House, that this, though a convenient doctrine, is a most dangerous one, when applied to public men. By such means, any great public delinquent may escape exposure amidst the ruin which has originated solely from his own mal-administration. I think we have a right to take a retrospective view of the causes that have led to the predicament in which we are placed, whilst we are endeavouring to extricate ourselves from it. Being determined to pay the most respectful attention to the desire intimated in the Speech from the throne, I abstained from offering any observations on the Catholic question, until the measure was fully before the House; and up to the hour when the right hon. Secretary of State for the Home Department entered into his explanation, I entertained a sanguine hope that the measure would be one to which I could conscientiously give my support. The first few sentences of the right hon. gentleman

were not at all calculated to dispel this illusion. He stated, that he rose in his place, "as a minister of the Crown, and armed with the just authority which belonged to that situation." What, then, was my astonishment to find, that though thus armed, the right hon. gentleman stated, that he could not put down an association which he declared to be dangerous and illegal, without yielding in the most unqualified manner to all its demands. What, said the right hon. gentleman, can we do? I reply to that question by another—What have you done? What have you tried to do? Is it not in the recollection of many, that in this House last year several hon. members repeatedly directed the attention of government to the state of Ireland, but without effect? Government asks, what can they now do? I reply, that they have long had a medium between utter exclusion and unlimited concession, but they would not avail themselves of it. They still have it, but they are as rash now as they were unbending before. They say the government of Ireland was divided. Why was it so? In whom were the appointments vested? In those who now complain of the effects of their own errors. The case presents no new features, but the Clare election and the Brunswick clubs; and I did expect that an unprejudiced observation of the events of the Clare election and the power of the Catholic clergy would rather lead to a proposition that a law should be supplied (were such a law wanting) which would exclude from the administration, or what is called the cabinet, all men who acknowledged themselves under the control of such influence as the Catholic clergy exercise. I refer the House to the last year's speech of the hon. and learned Solicitor-general for Ireland, in which he puts forth the very arguments used by the right hon. Secretary in the present year, particularly as to the state of society in Ireland; yet that speech then produced no effect whatever on the mind of the right hon. gentleman who now brings forward a measure for unconditional emancipation; I call it unconditional, being one of those who consider the poor forty-shilling freeholders sacrificed to ambition, and uselessly so; as nothing short of a 20*l.* qualification would ensure what government state to be their sole object. I beg leave here to state, that I never was opposed to qualified emancipation. In October last I published my

opinion, that concessions ought to be made to Roman Catholics, and before the present measures were known; that opinion was through the medium of the press submitted to my constituents, and though they are as decidedly hostile to the present measure as any constitutional body of intelligent Englishmen can be, they did not object to my ideas on the subject of qualified and limited concession. Many members on both sides of the House have shown us the danger of admitting Roman Catholics to the ministry—none more ably or more frequently than the members of the present government; but I have not yet heard any one state that there would be danger in excluding them from becoming privy councillors. If we hold Ireland by so slight a tie, that her population would join America, France, or any power which might be hostile to England, unless Roman Catholics were rendered eligible to direct the councils of the king of England, her adherence cannot long be depended on. Perhaps I shall be told, that a Catholic question will still remain behind. Let his majesty's government grant what they may, and a Catholic question will still remain behind, one far more important than any—the existence of a Protestant church in Ireland, and the admission of Roman Catholics to high offices here will ensure the ultimate success of any design against such an establishment. One of my greatest objections to the present bill is, that it affords to the Catholics the power of legislating on all matters connected with our church, whilst we are not permitted to interfere in the most trifling degree with theirs; besides, I have not considered England merely in reference to Ireland—I have considered her as the prop of Protestantism in Europe, as the sole check to the encroachments of papal power, the sole protectress of those Protestants who are now tolerated in the Roman Catholic countries; but alter the constitution of England, place the government in the hands of Roman Catholics, and can we expect that the shield of her protection will be interposed for the benefit of foreign Protestants in the hour of oppression? We are told by the Roman Catholic leaders—honestly and openly told—that they will curtail the Protestant church establishments; and in whose hands have you placed, not the knife to prune, but the axe to cut?—in the hands of the very men who have made this declaration. Connected

as I am, by early intimacy as well as by blood, to many highly estimable Roman Catholics, and never having entertained a feeling of disrespect or hostility towards persons of that persuasion, I trust I may lay claim to a disinterested and conscientious opposition of this measure; the very circumstance of being in a minority voting against government clearly proves it; had I suddenly changed when men in place and power altered their opinions, I might, perhaps, be looked on with suspicion by my Irish friends, but they cannot mistake the motives of a conscientious opponent, who votes against ministers as well as against Roman Catholics, and whose opposition has been uninfluenced by the movements of either minister or government. Much has now been done for Ireland, and much remains yet to do for England. The rumours of a coalition of parties hitherto opposed, are daily growing louder. I anticipate good from some alterations—reform is necessary in many departments—perhaps in this House: wherever it begins, unpledged, as I now am, to any government, I shall ever be found ready to support any measures which I consider advantageous to the country, from whichever side of the House they may emanate.

Mr. *Greene* expressed his conviction that the measure of emancipation, if granted, would cause the immediate destruction of the Protestant church of Ireland; and that the destruction of that church would inevitably lead to the destruction of the established church of England. Under this conviction he had determined to give his decided opposition to the measure now in progress through the House. He apologized to the House for having detained them upon this subject; but, standing before them as he did, as the representative of a very large body of people, he felt that it would be the most straight-forward and manly course to come forward to the House, and state what his opinion really was. Having done so, he had only to thank the House for the attention which had been afforded him [hear, hear].

Mr. *Ewart* said:—The hon. member for Hull seems to have founded his arguments on the supposed unchangeableness of our Protestant constitution. Is it, or ought it to be, unchangeable? The constitution of this country, while, with a wise regard to the inviolable rights of property, it excludes anarchy and disorder, admits the slow and silent tide of opinion

to flow in upon ancient institutions—to subside—to retire, and to leave its fertilizing influence to future generations. The hon. member has stated, that he has heard no new arguments upon this subject now before the House. Are any new arguments necessary? Has not our course been one of uniform evil in Ireland? Our policy has run parallel with the misfortunes of that country. Is it not time to diverge from such a course? But, are there no new reasons for concession? Will the hon. gentleman deny that there is in Ireland, on the Catholic side, a majority—a majority increasing in wealth and intelligence; on the side of the Protestants, a minority now divided in opinion. What have we then? On one side, an increasing majority—on the other, not a minority only, but a disunited minority. So much for the arguments against the measure. What remedies have been proposed on the other side? The hon. member for Newark recommends education and the introduction of capital into Ireland. Can he constrain and control the flow of capital? Is not the present century too late for such a measure? It would have been well in more ancient times—in the days of Psammis, or Chosroes, or Cheops, or some other of the Tory kings of primeval Egypt. But the nineteenth century, the reign of George the 4th, with England for the scene, is somewhat too late for these arbitrary acts of despotic benevolence. The only other remedy suggested is the fatal one of coercion. Coercion may be tried. It may even be tried with success. But let the advocates of so fatal an expedient remember, that in such a case, victory is not always triumph: to be defeated is not to be subdued. There is a long and dreary interval between conquest and subjection—

— “For tho’ the fight be won
All is not won; the unconquerable will
And study of revenge, immortal hate,
With purpose never to submit or yield,
And what else is not to be overcome.”

It is impossible to contemplate this great measure otherwise than in two aspects: one with reference to the past—the other prospectively to the future. It is impossible to separate from our consideration the remembrance of those great men, whom we almost envy for having stood alone in this cause, and who vindicated what we now assert with a majority in a glorious minority of the legislature. To none is the tribute of praise more justly due than

to that great statesman, the echoes of whose eloquence still lingers on these walls. Time and truth now justify, as they ever will, the efforts of departed genius, and history stands ready to consecrate his name. With regard to the future, this great act will promote what Mr. Pitt declared to be the object of the Irish Union, "tranquillizing Ireland, and attaching it to this country." By tranquillizing Ireland we shall introduce capital into Ireland by promoting the security of property. It is vain to expect capital to flow where that security does not exist. The right hon. member for Inverness had stated in a speech which it would be presumption to praise, that the argument from expediency had been too much relied on. We had not sufficiently considered the argument from justice. In my humble opinion, it is expedient to be just. This is the rule—a contrary course is the exception. He hailed this great measure on the general principles of universal toleration. He hailed it to the emancipated Catholic, as a brother in the constitution, adding to the councils of the empire the bond of united interests, and now undivided power. In advancing with this bill, we are proceeding, as it were, in solemn pomp, to lay the deep foundations of a nation's happiness. God speed the accomplishment of a work so auspiciously begun.

Admiral *Evans*, as a conscientious man, said, he was bound to oppose a bill, which, if passed into a law, would drive the vessel of the constitution out to sea, without rudder or compass. The Protestant ascendancy had been thrown overboard, the forty-shilling freeholders had been thrown overboard, and the only hope seemed to be, that a sail might heave in sight, as they had put a broom at the mast-head [a laugh]. For his own part, he did not see what was to save them all from drowning.

Mr. *Cripps* said, he considered the measure to be in opposition to the Bill of Rights, and to all the principles of Protestant ascendancy, established at the Revolution.

The Marquis of *Blandford* said, he would take that opportunity of reiterating his objections to a measure that swept away all the existing Protestant securities of the constitution, without substituting any others in their room—a measure that was brought forward against the feeling of the people by a set of men who had usurped

the sovereign power of the state and the authority of the monarch. He repeated that it was a measure that would sweep away all the securities that our ancestors had provided for the stability of the Protestant interest. For where was there to be found in the bill, a full security for those establishments which his majesty had said it was their duty to preserve inviolate? How, if this bill passed into a law, were they to control the increasing strength of the Catholic church? It was in vain to hope that this measure would not lead to much worse effects than had been anticipated. He would take upon himself to say, that his majesty, in consenting to such a measure, had been misled by evil councillors—by men who had ventured to array themselves with an authority to which they had no title. He would maintain, that the opinions of the people of England were decidedly hostile to this measure, and he would only ask for the opportunity to establish the correctness of his assertion. Let the question be sent to the hustings in every county in England—let the genuine opinions of the people be had on this question—let their representatives be sent back to them, and the House would soon see that this measure was odious to the nation. The restless spirit of the age—that spirit which overturned thrones, and set up fantastic constitutions—had achieved this victory over the genuine principles of the British constitution. It was a base compromise of principle—a shameful surrender of the great bulwarks of the constitution. The faithful page of history would record the damning fact that the minister of the day had yielded to the clamour of popish agitators and popish priests. He must declare that the time had arrived when every man who valued the Protestant constitution should openly express his sentiments; and that the period had come, when it was expedient, and highly necessary, that they should, without delay, honestly, efficiently, and sincerely, enter upon the question of parliamentary reform [Cries of "hear," and a laugh]. He said this not more with reference to the past, than with a view to the future. It arose from opinions he had long entertained, but which were now matured; and he now tendered in all sincerity his support to those gentlemen who had hitherto advocated a reform of parliament, from a thorough conviction of its necessity, and

as a peace offering to the insulted and outraged feelings of the people of England.

The House then proceeded to the further consideration of the report on the bill. The amendments were read by the clerk, and on the question "that these amendments be agreed to" being put,

Sir *R. Vyvyan* rose to propose two amendments in the clause containing the oath to be taken by Catholics. He was astonished to find that the bill proposed by ministers had omitted two most material portions of the oath of 1791. The following words occurred in that oath, after the words "to the crown of these realms"—"and I do swear that I do reject and detest, as an unchristian and impious position that it is lawful to murder or destroy any person or persons whatsoever for or under pretence of their being heretics; and also, that unchristian and impious principle, that faith is not to be kept with heretics or infidels:" and at the end of that oath were annexed the following words, which were omitted in the oath proposed by this bill;—"And without any dispensation already granted by the pope, or any authority of the See of Rome, or any person whatever; and without thinking that I am, or can be acquitted before God or man, or absolved of this declaration, or any part thereof, although the pope, or any person or persons, or authority whatsoever shall dispense with, or annul the same, or declare that it was null or void." Now he would propose, as an amendment, that the first portion of the oath of 1791, which he had read, be inserted in the oath contained in the present bill, after the word "realms," and before the words "and I do further declare." It was well known, that the principles of the Roman Catholic religion remained unchanged; and that the principle against which the oath of 1791 was intended to guard, still actuated professors of that creed, might be gathered from the events of modern times. He would only refer the House to the year 1816, when this principle of persecution against heretics was carried to its full extent of blood and murder in the south of France. He would wish to know from the right hon. Secretary, the reasons which had induced him to omit this portion of the oath, containing so essential a security, and which was so considered by the framers of the bill of 1791. As to the dispensing power of the pope, to which the

other portion of the oath which he would propose to insert had reference, he would only observe, that it existed still, and was recognised in some of the European Catholic countries. Revolutions had occurred within the last few years in Naples and in Spain, and hon. members must know, that the conduct of the sovereigns, in both instances, afforded evidence of the existence of this power on the part of the pope. The king of Naples was a conscientious man, and of all men the least likely to break an oath, unless he could satisfy those scruples which a religious man must entertain in doing such a thing. It was, he believed, a fact, that at Laybach, the king of Naples exhibited strong scruples on the subject. All these points would be cleared up in the pages of history, and it would then, no doubt, appear, that the pope had exercised his dispensing power in relieving those sovereigns from the obligation of their oaths. At the present moment, the pope exercised a dispensing power, as to the degrees of kindred within which marriage was not allowed, and he believed that that power, was intended to be exercised in reference to the royal family of Portugal. It was, therefore, a just and legitimate feeling, and not a prejudice, on the part of Protestants which induced them to call upon Catholics to disavow such doctrines. The hon. member concluded by moving the first amendment.

Mr. Secretary *Peel* said, that if the hon. baronet conceived that the amendment which he proposed would offer any additional security, he was greatly mistaken; for it would be no security at all. He had no hesitation in saying, that he had omitted the words from the oath, which the hon. baronet now proposed to insert in it, because he conceived it would be perfectly unnecessary to call upon the parties whom they were about to admit to all the rights and privileges of the constitution, to declare, that they did not believe, as an article of their faith, that it was lawful to murder heretics. It appeared to him, that it would only be encumbering the oath with an unnecessary declaration, which would merely serve to weaken the force of the oath, and to divert the attention of the party who took it from those parts of the oath which were required to be taken by him as a test of his civil allegiance. When they were about to admit the Catholics to an equality of

civil and political privileges; it did appear to him, that it would be an odious as well as unnecessary thing, to call upon any man, on whom they were going to confer such privileges, to declare that, under any circumstances, it would be lawful to commit murder. The hon. baronet had further objected to the present oath, because it omitted the clause which obliged Catholics to declare, that they did not believe that the pope possessed the power to dispense with the obligation of an oath. Now, if any party believed that the pope possessed such a power of dispensing with oaths, it must be clear, that no oath whatever would be a security against such a party. Against individuals who entertained such a belief, if any there existed, no oath that could be devised would afford any security whatever; the declaration, therefore, in reference to the dispensing power of the pope, had been omitted in the present oath, because it was useless and unnecessary. The present oath afforded the best of all securities when it called on the party taking it to swear solemnly in the presence of God, that he "makes this declaration and every part thereof, in the plain and ordinary sense of the words of this oath, without any evasion, equivocation or mental reservation whatsoever." If they could not believe the man, who in the presence of God, made such a solemn declaration as that, it would not be possible to devise any oath which could bind him, or afford them any security. It ought not to be forgotten, that it was oaths alone which excluded Roman Catholics from seats in that House, and from all the privileges of the state. They were not excluded by the direct operation of any law in England or Ireland. There was no law which excluded Roman Catholics as such: they were excluded by the indirect and consequential operation of oaths. Now, if Roman Catholics held the belief of the dispensing power of the pope in respect to the obligation of oaths, what was it, he would ask, that prevented Catholics from taking their seats in parliament, and from filling the various offices of the state? As the law at present stood, they allowed Roman Catholics to give evidence in the courts of justice, both civil and criminal, and to act as jurors in cases where the lives and properties of their fellow-citizens were concerned. Would it be right to call upon those men whom they were now

about to admit to the highest privileges, to declare, that they did not believe that any power could absolve them from an oath? And were they further to call upon such individuals to declare, that they did not believe that it was lawful to murder heretics or to destroy any persons for or under pretence of their being heretics? If it were possible that such a belief should exist amongst the Catholics, they should not only not admit them to the privileges which this bill went to confer upon them, but they should disqualify them from giving evidence in courts of justice, and from discharging the duties of jurors, where they exercised a power over the lives and properties of their fellow-citizens. It was for these reasons that his majesty's government had determined to omit the words, the insertion of which was now proposed by the hon. baronet, feeling as they did, convinced, that if a man could not be believed after taking the present oath, there was no possible oath by which they could attempt to bind his conscience.

Mr. *W. Horton* said, that were it not that he did not wish to place any private opinion of his own in the way of the measure which was proposed by his majesty's ministers, he had contemplated to move that those very clauses, into which the hon. baronet wished to insert the words of the former oath, should be expunged from the present. He conceived that the oath, even as it stood, cast an unjust imputation on the Catholics. He thought that, after the Roman Catholic Bishops of England and Ireland had solemnly declared, that they disavowed such principles, and that their declaration was sanctioned at Rome, it should no longer be assumed, that such principles were held by Roman Catholics.

Mr. *Trant* said, he did not arise to taunt the right hon. Secretary, but he believed that some few years ago these very oaths were advocated by him. The oaths which excluded Catholics from parliament did so, because they called upon them to deny the fundamental articles of the Roman Catholic faith—such were the declarations against the mass and transubstantiation. Their forefathers, who framed those oaths, saw that no oaths could bind Roman Catholics save those which called upon them to renounce the fundamental articles of their religion, and from which no dispensation of the

pope could absolve them. The right hon. gentleman who spoke last said, that the bishops and clergy of England and Ireland disavowed the principles imputed to them and that the pope had approved of it. He would ask that right hon. member, when he was last at Rome, why he did not advise his friend the pope to call a general council? [a laugh]. He believed that the hon. gentleman was a friend of the pope; and further that he had been lately giving advice to the pope. Now, he wished to know why the right hon. gentleman, and his friend, Dr. Baines, did not advise his holiness to call a general council, to reverse the decree of the council of Constance, which declared that no faith should be kept with heretics. Until that was done, he would retain his old fashioned opinions as to the principles of Roman Catholics. He would only refer hon. gentlemen to the Catholic Almanack to prove that the principles of the Catholics were in full vigour at the present day. Any hon. member who chose to lay out a shilling on the "Catholic Lay Directory," would find that Catholic chapels, of all sorts and sizes, were spreading over the country. In Lancashire alone, there were eighty-six places of Catholic worship. It was the fashion to object to the oaths which were taken in that House. Their ancestors, however, had stronger stomachs than they possessed—they swallowed those oaths, and they required no Abernethy pills to digest them—they had no qualms of conscience on the subject, when their object was to protect their civil and religious liberties. For himself, he had taken them, and could never consent to their repeal.

Mr. Wynn said, that as the hon. member had asked, why a general council was not called to repeal some decree or other of the council of Constance, it was perhaps necessary to inform him, that a general council required the attendance of all the bishops in Europe, and that it was not in the power of the pope to call one without the consent of all the Catholic sovereigns in Europe. The hon. member should take into account the expense and inconvenience, not to enumerate the other difficulties, which would attend such a proceeding, and he should bear in recollection, that the last general council, the council of Trent, was assembled by the powers of Europe, for the purpose of arranging certain differences, that after repeated

discussions it separated without accomplishing that object, and that the person who opposed them at the council, namely the pope, had his power consolidated and increased by the result of that council. With such a result before them, it was rather unlikely that the Catholic princes of Europe would consent to call another general council.

General Peachy maintained, that the principles of the Catholics remained unchanged. He referred to the decree of the Council of Lateran in support of his position, that persecution formed one of the principles of the Catholic religion. "Simulatio utilis est, et in tempore assumenda" was one of the maxims laid down by that Council, and enforced by the popes. He referred to a bull of pope Alexander, regarding heretics, in which the words "persequar usque ad necem" were to be found, and asked, whether there could be a stronger proof of the persecuting principles inherent in the Catholic religion?

Mr. Moore wished to state a fact, as illustrative of the existence of the belief amongst Catholics of a dispensing power as to the obligations of an oath. The circumstance had been stated to him by a highly respectable magistrate in the county of Cork. That gentleman assured him, that having been in the habit of administering affidavits to Roman Catholics, and suspecting, in some instances, that they did not swear the truth, he put this addition to the usual oath—"I swear that I will not ask for, nor do I expect, absolution from this oath;" and that many persons who were ready to take the oath before, refused to take it with that addition.

Dr. Lushington said, that the anecdote which the hon. member had related, spoke volumes as to the character of the magistracy in Ireland. What were they to think of a magistrate who, when persons came before him to take an oath, which it was his duty to administer without addition or qualification, should require of them to take an additional oath, pledging them not to approach one of the Sacraments of their religion, to which as conscientious Roman Catholics they should have recourse, if they broke their oath by the commission of any crime? What were they to think of a magistrate who would call upon those Roman Catholics to swear, that they would not unburthen

their consciences, as they might feel in duty bound to their priest, and seek that absolution which their church promised to a sincere repentance? This was a most melancholy example of the kind of magistrates that had existed in Ireland, who exercised their power, not for the benefit of the country, but for purposes of injury and injustice against their Catholic fellow population. The hon. baronet wished to call upon the Catholics to abjure the doctrine, that no faith was to be kept with heretics. The Catholics had, over and over again, disavowed such principles; and at this time of day it was needless to call on them for such a disavowal. In the time of Elizabeth it was the principle and doctrine of the law of England, that no faith should be kept with infidels. In "*Coke's Institutes*," it was laid down expressly, that no faith should be kept with infidels. Would any man in England be called on to disavow such a principle at the present day? In the progress of time they had all, both Protestants and Catholics, become wiser; and equally good reasons existed for calling on Catholics to disclaim the decrees of the Councils of Lateran or Constance, as for calling on English Protestants to disavow the doctrine of lord Coke, that no faith should be kept with infidels.

Mr. *Estcourt* contended, that the circumstance mentioned by the hon. member for Dublin completely exemplified the opinions entertained by Catholics on the subject of oaths, and that the right hon. Secretary should be extremely cautious in framing the oaths intended to be taken by them.

The two resolutions were then put and negatived.

Colonel *Sibthorp* said, that although some gentlemen had been accused of being over-cautious in wishing to make "assurance doubly sure," he was inclined to make assurance trebly sure, and therefore gave notice that he should move an amendment to the clause which enabled Roman Catholics to be members of lay corporations. In page 6, line 27, after the words "or any college or school of ecclesiastical foundation within this realm," he proposed to add the words, "or to enable any person or persons professing the Roman Catholic religion to vote, or to have any power or control, in matters relating to the management or appropriation of sums of money, or other grants

which have heretofore been made, or which may hereafter be made, in aid, support, or endowment, of schools, almshouses, or charitable institutions of Protestant foundation." He had before stated the reasons which induced him to propose this amendment. As he understood the bill, it was not intended to enable Catholics to act, in respect of the foundations in any way in which they were now disabled from acting; and he supposed, therefore, that there would be no objection to his amendment. Let it not be thought that he looked upon this as a sufficient security. For his own part, he considered all securities as nonsense [a laugh]; but as it appeared to be generally understood, that something under the name of securities should be added to the bill, he would contribute his mite towards that something. There could be no doubt that the Roman Catholics would get as much power as possible into their hands; indeed, on a former occasion, the right hon. gentleman had expressed his apprehension of this propensity to power on the part of the Catholics. One of the great instruments of power was money; and though he should be very glad to secure all corporate funds from the control of the Catholics, yet, not being able to do that, he now proposed to place beyond their reach such funds at least as were appropriated to the maintenance of schools, almshouses, and charitable institutions of Protestant foundation.

Mr. Secretary *Peel* said, that he was anxious to accommodate the hon. member to the utmost of his power; but as the hon. member had told them, that he looked upon all securities with contempt, he thought on the hon. member's own shewing, the amendment was mere surplusage. The part of the bill, in which the hon. member proposed to introduce his amendment began thus—"Provided also, and be it enacted, that nothing in this act contained shall be construed to enable any persons, otherwise than as they are now by law enabled, to hold, enjoy, or exercise, any office," and so forth. In this clause, therefore, there was no specific mention of Roman Catholics; while, in the amendment, there was a specific mention of them. He really did not know the meaning of the amendment, nor could he see how far it might extend. In the case of family trustees, Catholics might have influence over insti-

tutions, such as were mentioned in the amendment. Did the hon. member mean to deprive them of that influence? Did he mean to disqualify a Catholic who might have been confided in by the person making a bequest, from acting in pursuance of a trust committed to him? The amendment did not relate to corporate funds: it was a general disqualification. There might be a trust left by a Protestant family; the object of the trust might be a Protestant; and yet, by succession or by appointment, a Roman Catholic might be or become the trustee. To such a case this amendment would apply; and it would disqualify the Roman Catholic. He really thought that the hon. member would do better by adhering to his original intention of giving notice of this amendment, and refraining from moving it then.

Lord Milton said, he could at once mention a case such as the right hon. gentleman had alluded to. He referred to the Shrewsbury Hospital and almshouses, over which the heir of the duke of Norfolk had control, and which would be taken out of his hands by this amendment.

Mr. Wilmot Horton said, that as the hon. member was so anxious to prevent Catholics from interfering with funds appropriated to Protestant foundations, he had better extend his amendment, and prohibit Mr. Petre, a Roman Catholic gentleman, from paying the large subscription he had so handsomely offered towards restoring York Minster.

The Attorney-general (who spoke from the Opposition side of the House, near the bar) said, it was very well known, that nearly all the foundation schools in the kingdom were delegated for education in the Protestant faith; that there was a positive, a legal necessity, that the scholars in such seminaries should be educated in the Protestant faith. It was well known that most of these schools had been founded since the Reformation. Some of them, it was true, had been founded before the Reformation, but most of them since; and, what was more, they were of lay and not of ecclesiastical foundation. If honourable gentlemen would look into the reports of the committee which had inquired into these foundations, they would find the fact to be as he had stated it; namely, that these schools were of lay and not of ecclesiastical foundation, and, that the education in

them must be education in the Protestant faith. Now, the object of his hon. friend's proposition was, that Roman Catholic corporations should not have the power of controlling, appointing, and regulating schools unavoidably dedicated to the Protestant faith. As the bill at present stood, supposing a Roman Catholic were mayor of a corporation, did he or did he not acquire an ascendancy over institutions directly and exclusively Protestant? He would again ask, whether this bill of Jacobin equalization, and of undistinguishing amalgamation, would not, under these circumstances, confer that ascendancy? He conscientiously believed, that not one clause of this Jacobinical bill was understood by those who proposed it [Here the hon. and learned member, whose action was extremely energetic, accidentally struck Mr. Bankes violently on the head with the bill which he held in his hand; and the occurrence raised so hearty a laugh throughout the House, that the hon. and learned member was for some time unable to proceed]. He begged pardon of his hon. friend. He meant to level no blow at him—he meant to level blows at no man: he spoke in the most perfect good humour, and his blows were levelled only against this bill. Abstracting the bill from the framers of it—speaking *de re* and not *de personâ*—he would repeat his conscientious belief, that the framers of the bill did not understand one single clause of it, from the beginning to the end. His hon. friend proposed to interdict a Catholic from interfering with establishments connected with the Protestant faith, if he were a member of a corporation having control over such establishments; and there was scarcely a corporation in England that had not a school or alms-house, or other place, devoted to education upon Protestant principles. As the bill now stood, any man might become a member of a corporation, and in all the schools attached to corporations, as he had before observed, the education must, of legal necessity, be Protestant; so that this bill—this Jacobin bill, as he would call it, in its Jacobin liberality—not only invested Catholics with all corporate powers, but in the corporation it gave him also the power of setting a Catholic school-master over a Protestant school, and of delivering the control of these foundations for Protestant education into the hands of a Catholic.

He saw the point of this amendment, and he gave his hon. friend great credit for his spirit in bringing it forward. The case was not whether he could persuade the House to adopt the amendment [hear, and a laugh.]—The gentlemen laughed—and he would tell them why they laughed. It was clear that there was no use in dividing—and therefore the gentlemen laughed. It was clear that there was no use in attempting to arrest the progress of a bill, which was pressed forward with such reckless haste—a bill of which the pages were still wet when they first saw the amendments—a bill which, as the framers of it did not understand the clauses, was precipitated onward, in order that the members of the House might not understand it. Such was the bill, such its motion, and therefore gentlemen in their pleasantry indicated by a laugh, that it was of no use to oppose it. Perhaps so; but he hoped they would accept his apology for opposing it. He must take the liberty of saying, that the bill, as it stood, was an unconstitutional, egregious, and monstrous violation of the rights of hundreds of schools founded by laymen, in which, by law, the education must be Protestant, but which, by this bill, Catholics were enabled to convert into places for Catholic education.

Dr. *Lushington* said, his hon. and learned friend had truly stated, that some of these schools had been founded before, but most of them since, the Reformation, and that they were generally of lay, and not ecclesiastical foundation. Such was undoubtedly the fact; but it might be stated with equal truth,—and the more the subject was examined, the more apparent the fact would be,—that all the schools attached to corporations were grammar-schools. His hon. and learned friend had thought it exceedingly hard that Catholics should be allowed to appoint masters to these schools; but he would tell hon. gentlemen that which would relieve their mind from these calamitous forebodings, and which, he trusted, would carry satisfaction even to the mind of his hon. and learned friend. It was necessary that every master of a grammar-school should be licensed by a Protestant bishop. He would not detain the House by citing authorities on this subject, but he appealed to every hon. member present, if he had not rightly stated the law. He maintained, that it was

necessary that the master of every grammar-school should be licensed by the bishop in whose diocese the grammar-school was situated, and that the bishop could prevent any master of a grammar-school from teaching, until he had given him a license. It did therefore appear to him, that the law, as it stood, afforded a very satisfactory security.

Colonel *Sibthorp* said, that his object was, to prevent Catholics from interfering in the corporate funds destined for particular purposes; and that what had fallen from the hon. and learned doctor had not touched that part of his proposition.

The *Solicitor-general* perfectly concurred in what had been laid down by his hon. and learned friend. If the hon. and learned doctor had not made the statement, he should have made it. He had never entertained a doubt that the license of the bishop of the diocese was necessary; and he knew that in a very learned discussion, in which this point was involved, there was no difference of opinion upon it. If there were any grammar-schools under a different regulation, the fact was new to him. He conceived the law on this subject to be perfectly settled.

Sir *E. Knatchbull* said, that if the law was as it had been stated to be, there was, certainly, pro tanto, a security; but the question was, was the law enforced?

Mr. *Moore* said, that when the bill was before the committee he had taken the liberty to observe, that its securities were not sufficient with reference to schools over which corporations had control. Whether the license of a bishop was or was not necessary, he was not prepared to say; but certainly there was a variety of cases which ought to be guarded against. If the principle of the clause was protection, that principle ought to be carried into full effect. He thought the amendment ought to stand over, in order to give time for inquiry.

Mr. *Doherty* said, that, on a former occasion, the observations of the hon. member for Dublin on this subject had been directed to a chartered school in Dublin called the Blue-Coat school. Since that time, the Secretary for the Home Department had put the charter of that school, together with other documents, into his hands. He had perused them, and he begged leave to say, that the present bill did not trench, in the slightest degree, on the rights of that school. If the alarm re-

specting other schools had no better foundation, he must be allowed to say that it was very unnecessary.

Colonel *Sibthorp* begged to be allowed to withdraw the amendment, and to give notice that he would move it on the third reading of the bill.

The amendment was accordingly withdrawn.

Sir *R. Vyvyan* said, that he had an amendment to propose. On a former occasion, when he had the honour to present some petitions from the county which he represented, he had stated that there was a great conspiracy on foot throughout Europe, which had filled many persons with alarm,—a conspiracy at one time carrying on its machinations at Rome, and at another projecting the suppression of the liberties of the people by sabres and standing armies. He had then expressed himself of that opinion, and he now saw no reason for renouncing it. With the permission of the House, he would enter more at length into the subject. He would begin by calling attention to the existence in France of the body known by the name of the “Congregation,” or, in other words, the Jesuits. He did not intend giving any thing like a history of the order; he would content himself by referring to it in general terms. Although its founder, Ignatius Loyola, appeared, after Luther, at a time when the Reformation had spread in Germany, and when the papal power was apparently drawing to a close, he could not for years obtain a bull to sanction its institution, and it was at last obtained only by a declaration of unprecedented and implicit devotion to the papal see. Before Loyola’s death twelve societies of Jesuits were established, and he had the satisfaction of seeing members of the order become the confessors of kings; and he believed that had it not been for their dissolution by pope Ganganelli, and the occurrence of the French Revolution, they would have succeeded in securing the papacy itself. As it appeared to be the opinion of his majesty’s ministers that the order in this country should be gradually suppressed and abolished, he hoped he should not be considered as advancing much beyond them in proposing a measure more severe. It might be supposed that, after their dissolution by Ganganelli, who said he was advised to the measure by every Christian sovereign, and after they had become mer-

chants and traders, and were dispersed throughout Europe, it might be imagined, that nothing more would be heard of them. But there were two sovereigns who gave admission to the order, and one in particular, the emperor of Russia—a country at all times solicitous to interfere in the affairs of the west. In Russia they found a refuge, as they also did in Prussia, Frederick the Great, conceiving that there was no danger to be apprehended from them. Thus they at length received an asylum among heretics. The order of the Knights of Malta—an order not yet dissolved—had once been extremely powerful; its grand master was, at a certain period, one of the greatest sovereigns of Europe. The island was now in our hands, but the Jesuits might be regarded with the same apprehension as the order of Malta. It was not until the late emperor of Russia found that the Jesuits were tampering with his subjects, that he ordered them to quit his kingdom. The charge against them was thus expressed:—“They have turned aside from our worship young people who had been intrusted to them, and some women of weak and inconsiderate minds, and have drawn them to their church.” His imperial majesty’s ideas of this conduct are thus expressed:—“To induce a man to abjure his faith, the faith of his ancestors—to extinguish in him the love of those who profess the same worship—to render him a stranger to his country—to sow discord and animosity in families—to detach the brother from the brother, the son from the father, and the daughter from the mother—to excite divisions among the children of the same church—is that the will of God, and of his divine Son Jesus Christ our Saviour?” The result of his deliberations are contained in the following articles:—“That the Catholic church in Russia be again established as it was in the reign of the empress Catharine the Second, and till the year 1800; that all monks of the order of Jesuits be immediately banished from Petersburg; and that they be forbidden to enter the two capitals.” In 1801 the emperor Paul had called for the re-establishment of the order. His request was complied with, and it was afterwards allowed to exist in his dominions: and, in 1814, it was again permitted to remain there under certain restrictions. Documents from the papal court respecting

its re-establishment in 1814 proceed thus—"We granted to the said Francis Karen, and his colleagues residing in Russia, or who should repair thither from other countries, power to form themselves into a body or congregation of the company of Jesus; they are at liberty to unite in one or more houses, to be pointed out by their superior, provided those houses are situated within the Russian empire. We named the said Francis Karen general of the said congregation: we authorised them to resume and follow the rule of St Ignatius of Loyola, approved and confirmed by the constitutions of Paul 3rd, our predecessor, of happy memory, in order that the companions in a religious union might freely engage in the instruction of youth in religion and good letters, direct seminaries and colleges, and, with the consent of the ordinary, confess, preach the word of God, and administer the Sacraments. A short time after we had ordained the restoration of the order of Jesuits in Russia we thought it our duty to grant the same favour to the kingdom of Sicily, on the warm request of our dear son in Jesus Christ, king Ferdinand, who begged that the Company of Jesus might be re-established in his dominions and states as it was in Russia, from a conviction that, in these deplorable times, the Jesuits were instructors most capable of forming youth to Christian piety and the fear of God, which is the beginning of wisdom, and to instruct them in science and letters. The duty of our pastoral charge leading us to second the pious wishes of these illustrious monarchs, and having only in view the glory of God and the salvation of souls, we, by our brief beginning 'Per Alias,' and dated the 30th of July, 1814, extended to the kingdom of the two Sicilies the same concessions which we had made for the Russian empire. The Catholic world demands with unanimous voice the re-establishment of the Company of Jesus." Now, it was not generally known in Europe, that in 1801 the Jesuits existed, and as a body recognized by the pope; for thirty years had not elapsed from their suppression by the bull of pope Ganganelli until the secret bull was issued for their re-establishment in Russia. At the congress of Vienna, when the allied sovereigns were assembled in full council, and when the pope of that time was completely at their disposal, and when an individual, not royal certainly, but with power equal

to royalty, having such extensive influence over the minds of the sovereigns, took a leading part in their deliberations, the order was revived and encouraged, and in his opinion, with the view of repressing the progress of freedom and liberality.—The doctrines of the Jesuits might be inculcated in two ways in the human mind—either by despotic authority, or by plausible delusion; and that they would be so inculcated, unless efficient measures were taken to prevent it, he firmly believed. But the reign of terror and delusion would not, he hoped, exist long; for hon. gentlemen might depend upon it, that there had been, and still was, a great struggle between the two great principles of despotism and liberality. In his view of the case, this question had as much to do with the question of despotism amongst the sovereigns of Europe, as it was possible to imagine; for there was no form of religion in the world so little favourable to liberty as the Roman Catholic religion. Pagan Rome was not more anxious to obtain the empire of the world, than ecclesiastical Rome was, to rule over the human mind—and that rule they would endeavour to attain through the indefatigable exertions of the Jesuits. He believed that they were, in the present age, safer from the intrigues of the church of Rome, than those who went before them, but, at the same time, if the Papists continued to annoy the Protestants, as they were doing in different places, particularly in France,—if they proceeded from one aggression to another—it would at length become necessary to make a great effort to crush such a system of bigotry. He was aware that in France one generation had escaped the Jesuits, but the rising generation was before them, and they sought to instil their principles into the minds of young people of seventeen or eighteen years of age. This was a part of their plan; and he believed that it succeeded but too well. That sect possessed, ever since its establishment, an immense power. Through their means Louis 14th, who was the author of the revocation of the edict of Nantes, who banished fifty thousand of his best subjects from their native country, submitted himself to a Roman Catholic confessor, and on his death-bed sent a letter to the pope praying forgiveness for having doubted certain articles of the Catholic faith.—The hon. baronet, in support of his argu-

ment as to the fatal consequences which were likely to be produced by the toleration of the Jesuits, read an extract from a work entitled "*Secreta Monita*," in which an ex-Jesuit gave an account of the order. He now came to what he meant to propose to the House. The clause in page 10 of the bill ran thus:—"And whereas Jesuits and other religious orders, communities, or societies of the church of Rome, bound by monastic or religious vows, are resident within the United Kingdom, and it is expedient to make provision for the gradual suppression and final prohibition of the same therein;" for "United Kingdom," he would substitute "his majesty's dominions;" because it was absurd, when they were legislating with respect to a body of men of whom they were afraid, to check their growth merely in the United Kingdom, leaving them to spread and increase in the colonies, and that too at the very moment when they were about to allow Roman Catholic governors in those colonies. He was perfectly sure, that if they suffered Jesuits to flourish in the colonies, they would soon interfere with the business of the government, and that this country would feel the effects of that interference, as other countries had formerly done. The clause then proceeded—"Be it therefore enacted, that every Jesuit, and every member of any other religious order, community, or society of the church of Rome, bound by monastic or religious vows, who, at the time of the commencement of this act, shall be within the United Kingdom; shall, within six calendar months after the commencement of this act, deliver to the clerk of the peace of the county, or place where such person shall reside, or his deputy, a notice, or statement, in the form and containing the particulars set forth in the schedule to this act annexed." Now he could wish the clause to run thus:—"Be it therefore enacted, that every Jesuit, and every member of any other religious order, community, or society of the church of Rome, whatever be his title, character, or designation (this was particularly necessary, for a greater difficulty never existed than that of finding out who really were Jesuits), bound by monastic or other vows, who, at the time of the commencement of this act, shall be within his majesty's dominions, shall deliver to the clerk of the peace of the county or place, or his deputy, or to the governor of the

colony where such person shall reside, a statement in the form and containing the particulars set forth in the schedule to this act annexed." The hon. baronet concluded by moving his amendment. On the question being put, "That the words 'United Kingdom' proposed to be left out stand part of the clause,"

Mr. *F. Lewis* said, that the provision contained in the bill was meant to apply exclusively to certain Jesuits, now resident in the united kingdom. The object was to prevent the increase of that body; and sure he was, that very little fear could be entertained on that account, since their number was so extremely small. He believed that a great deal of prejudice had gone abroad on this subject, and it was his duty to state to the House, that there were but three members of the order in Ireland, and but one seminary devoted to their purposes. It was clear, therefore, that under the provisions of this bill, the order must soon cease to exist altogether. When he was occupied in examining into the state of education in Ireland, he, as well as others, was anxious to procure some information with respect to that body. The commission wished to have an explanation on that point, and with that view Dr. Kenny, the principal of the seminary at Clangowes, was examined. It was doubted whether he would not show some indisposition to answer any questions on the subject; but that gentleman immediately replied to every question with considerable ability, and with much sincerity. A reference was made to certain volumes, said to contain the rules of the order of Jesuits, and Dr. Kenny was asked whether there were any instructions, admonitions, or suggestions, given to the society, other than those contained in the work alluded to. His answer was, that every admonition, instruction and rule—that every enactment or ordinance relative to the order—were contained in these volumes. He was then examined—and let it be remembered that he was on his oath—with respect to certain instructions contained in a book, denominated "*Secreta Monita*," and his answers were equally fair and honest. The hon. member for Louth, who was one of his colleagues, had said, after Dr. Kenny had been examined for three days, that no man ever gave more candid answers than had been given by that individual. Dr. Kenny, in the course of his examination, speaking of the "*Secreta Monita*," said, "I am

quite prepared to give my opinion of that work. Whoever expects to see in that work the rules of the Society of Jesuits will be greatly disappointed. It is a false, infamous, and malicious libel—a libel, imputing conduct to the society, which no charitable man would impute to another without the most decided evidence.” He could not agree with those who thought that this publication did no mischief. It was got up for the purposes of inflicting an injury, by falsifying the rules, institutions, and ordinance of the Jesuits; and he was certain, that numerous copies of it were sent to various places. Dr. Kenny had declared that it was a libel—he named the author of it, and stated out of what circumstances it arose. For himself, he had no interest in defending the Jesuits; but he conceived that they ought to have the full benefit of the statement which he had made; because, if they were to decide against this order, they ought not to do so on hasty prejudice, or on false and malicious publications. They had nothing now to fear, in his opinion, from any Jesuits in the united kingdom. Their only establishments were at Clongowes and Stoneyhurst, and means were taken to prevent the increase of the order. Ample security was provided under this bill, to render it impossible that the Jesuits should grow more numerous in the united kingdom. Any precaution beyond that appeared to him to be founded on prejudice, and to betray an unnecessary caution, for which there was no reason whatever.

Mr. *L. Foster*, in answer to the allusion which had been made to himself, thought it necessary to say a very few words. He entirely agreed with his hon. friend on one point; namely, that the “*Secreta Monita*” was not a work deserving of any credit; and he felt further bound to declare, that he believed the members of the order of Jesuits, now employed in England and Ireland, acted entirely from a conscientious feeling of what they conceived to be their duty, and did only that which they believed to be right. There was, however, another topic on which he could not coincide with his hon. friend. He did not think that his hon. friend’s memory had served him correctly, with respect to the number of Jesuits in Ireland. It clearly appeared, from the statement of Dr. Kenny, that at a period of time prior to the examination there were thirty Jesuits in Ireland, and that they had considerably increased since.

Now, he agreed with his hon. friend in not viewing with any sentiment of alarm the numbers of that order, whatever they might be; but this he would say, that those numbers would soon increase to a very great extent, if efficient measures were not taken to prevent it. The very essence of the order of Jesuits was missionary labour. That distinguished them from all other orders. They made a vow of special obedience to the pope; and they passed their lives in travelling on missions. The superior directed the order, and he selected for their labours any spot in the world, where he conceived they could most effectually serve the church. He was sure that there was no Jesuit at that moment in the united kingdom, except by the order of his superior. He agreed perfectly in what was said by the hon. member for Cornwall, that, in proportion as France and other countries got rid of the Jesuits, they would pour in here, if they were allowed; and, in proportion as the legislature thought it beneath their dignity to take proper care of the Protestant church, in that proportion would the order increase. The order was bound by a conscientious vow; and, in proportion as they relaxed their attention to the interests of the Protestant church, in the like proportion would the Jesuits become dangerous. There was much difference between the provision contained in the bill, and the extreme measures which the hon. member for Cornwall proposed. Seeing, as they did, that those individuals were not at present subject to a certain, reasonable, and proper control, they had a right to assert such a control, and to prevent their numbers from increasing. They were perfectly competent to say to that body, to the general of the order, and to the papal authority, “You shall send no more foreign Jesuits amongst us; neither shall you increase their numbers from the natural-born subjects of these realms;” but further than that he did not think it was necessary to proceed. It was unquestionably necessary that the Protestant religion should be thus guarded and protected. When the Bible was put into the hands of children in a Roman Catholic school, they all knew what a cry of proselytism was set up by those who were adverse to such a proceeding; and he would ask those gentlemen who had joined in that cry, whether they had no feeling for the safety of the Protestant church? Whether at Stoneyhurst, or Clongowes, or Carlow, the daily and nightly

care, the sole and only object of the Jesuits, was not to make converts, in every class and branch of society, high or low? This was the great point to which their attention was directed. They constantly devoted themselves to that special purpose. This was what they considered their paramount duty, and by this they were distinguished from all other orders. He gave them credit for a conscientious feeling to discharge their duty, and make proselytes; but, at the same time, he, as a Protestant, thought it was his duty to preserve this Protestant land from them, by every means in his power.

Mr. Secretary *Peel* was of opinion, that the House would be able to discuss the amendment to more advantage, if the hon. baronet would state the general outline of the plan he meant to propose with respect to the monastic orders. That information once given, the whole question might be discussed together.

Sir *R. Vyvyan* stated his object to be, that the provisions of the bill should be extended to the colonies, and that stronger means should be adopted for preventing the increase of monastic institutions of every kind.

Mr. Secretary *Peel* said, the hon. baronet had now stated generally what enactments he contemplated. For himself, his desire was, that justice should be observed towards individuals, while the object of preventing the spread and increase of those monastic institutions should be effected. He entirely concurred with the hon. baronet in thinking, that it was perfectly consistent with the interests of a Protestant state to follow the example of other states, governed by Roman Catholic sovereigns, and to take the precautions which they had taken against any danger to their rights, which might be apprehended from those monastic orders. It was the duty of the legislature to take care that the Protestant institutions of this country were not abused, by allowing those Jesuits who were expelled from other places to assemble here; but in doing that they ought to have a proper regard to the just rights of individuals. Now, in pursuing this inquiry, it was material to ascertain, in the first instance, what was the existing law with respect to the Jesuits, and with reference to monastic orders generally in England and Ireland; and to see whether those individuals were not here on the faith of that existing law.

They would then have to inquire, whether the present bill which would prevent the future admission of British subjects in this country into the Society of Jesuits, and which would also prevent the arrival of foreign Jesuits in the United Kingdom, was not sufficient to meet every apprehended danger? Now, the state of the law in England and Ireland was this:—At present there was in Ireland no law whatever against the Jesuits or the monastic orders. He did not know what the state of the law was before 1793; but since 1793 he apprehended there was nothing in the law of Ireland to prevent the residence of Jesuits, or of other monastic orders in that country. In England, since 1791, there was nothing to prevent the residence of Jesuits here: but the law gave the Roman Catholic, who took the oath of 1791, the express power to belong, if he pleased, to any of the monastic orders. The act of 1791 provided, “that no Roman Catholic who has taken and subscribed the oath hereinafter appointed to be taken, shall be presented, indicted, sued, prosecuted, or convicted, in any civil or ecclesiastical court for being a papist, or a reputed papist, or Roman Catholic priest or deacon, or for entering into any ecclesiastical order or community.” The part of the bill which he was now reading related to the Jesuit in his individual capacity, and it had the effect of preventing any person from being prosecuted as a Jesuit, in his individual capacity. As to monastic endowments, the law of 1791 left that subject exactly as it stood before. Such endowments were illegal. The endowment of a college for Jesuits, or for any other monastic order whatever, was contrary to law, and if discovered, became forfeited. The existing law, therefore, which the act of 1791 did not touch, gave as complete security as law could give, against the application of property to the support of monastic orders, or to any other superstitious uses of that nature. What was looked to by the act was, merely the individual capacity of any Roman Catholic. The law did not touch him; and he might in his private capacity, attach himself to the order of Jesuits, or to any other monastic order, under that act which specifically declared, that he should not be liable to prosecution. He thought, therefore, though policy might require that they should interdict an addition to the number of Jesuits at present here, that it would be

a very harsh measure to deprive individuals of the liberty to reside in this country, after they had relied for protection and security on the existing law. If the statute of 1791 had given them notice, that, at a future time they would be deprived of this privilege, they would not probably have come to this country, or remained here. But they had, under the act of parliament, permission to stay here for their lives; and under these circumstances he conceived it would be unjust to interfere with them. The bill left the law as it found it, with respect to monastic endowments: it compelled the Jesuit or the member of any other monastic order, to register himself, so that the government must have a perfect knowledge of the number of those persons; and it likewise forbade the arrival in England of any more individuals of that class. If there were any British subjects, prior to the passing of this measure, who, relying on the statute of 1791, became Jesuits, they had a right to come forward and perform the act of registration under this bill. But notice was given, that after the act came into operation, any British subjects who connected themselves with the Jesuits, or any other community of that nature, could not avail themselves of the benefit of this law. This was going, he thought, as far as they should go.—The hon. baronet wished to extend this measure to the colonies. But he ought to recollect that some of the colonies were peculiarly circumstanced. He did not exactly know the state of the law with respect to Canada. He believed the College of Jesuits there had been suspended; but he thought it would be a difficult and delicate matter to legislate on this subject for a colony, the inhabitants of which were almost entirely Roman Catholics. In Canada the legislature had the power of regulating the Jesuits. In those colonies which had no legislature the Crown had the power of regulation. His wish was, to extend this law to all colonies where there were Roman Catholics. There was no difficulty in the governor's requiring a return of all the monastic orders, and of Jesuits in each colony. The effect of the present bill was, not to abolish all the monastic establishments for education, but to prevent an increase in their number. In 1800, in consequence of the troubles in France, there was a great resort of foreign regulars to this country; the atten-

tion of the legislature was in consequence called to the subject, and a bill passed that House, which required the registration of all foreign regulars residing temporarily in this country, and prevented any addition to their number. This bill, which did not affect British subjects who were affected by the bill of 1791, did not pass into a law; it was rejected in the House of Lords, mainly owing to the speech of bishop Horsley; so that the Jesuit would appeal to the bills of 1791 and 1800. In his opinion, much less evil would be occasioned by suffering them to remain, than by violating a kind of pledge given them by the legislature.

After some desultory conversation,

Mr. *Peel* proposed a clause, providing that where the name of George the Fourth occurred in the oath, it should be altered, from time to time, to the name of the sovereign for the time being. This clause was necessary, he observed, to obviate any objection that the oath, in its present state, would apply only to his present majesty.

The clause was agreed to.

Mr. *Peel* then stated, that it might be desirable that an individual Jesuit might be allowed to reside in England for a limited time: there might be eminent scholars, or persons specially called here, to whom it might be proper to extend this indulgence. The clause he should propose for this object, provided, that it should be lawful for one of his majesty's secretaries of state, by license, to allow a foreign Jesuit or member of a religious order, as aforesaid, to come to the united kingdom, and to remain therein for a period not exceeding six calendar months, with power to revoke such license if he should see fit; and if such foreign Jesuit or other person did not depart within twenty days after the license had been revoked, or within twenty days after the expiration of the license, he should be guilty of a misdemeanour, and be banished for life from the united kingdom. He should also propose, in another clause, that a list of all such licenses granted within the preceding twelve months be laid before parliament each session.

Mr. *Hume* said, he knew no class of men to whom the world had been more indebted than to the Jesuits. We were indebted to them for the best editions of the classics. It was true they had abused the power they acquired; but that abuse was

at an end. They were now usefully employed in Ireland, and in other countries, in the promotion of education, and it was a reflection upon the country to be so afraid of them. It was too great a power to give to a Secretary of State to grant and revoke licenses at his pleasure.

Mr. *Trant* complained of the countenance which the Jesuits were receiving in this country and under this bill, after they had been expelled from every other country in Europe for their mischievous intrigues. The right hon. Secretary had, it was true, come forward with a clause which empowered him to grant or refuse a license of residence in this country to the Jesuits. This was nothing less than a dispensing power. At any rate, the Protestant Secretary of State, who was to exercise this discretion, might himself have been appointed by a Catholic prime minister. He thought it would be better if the right hon. Secretary were no longer to amuse the people by an appearance of security where none actually existed, but were at once to allow the Jesuits free privilege of coming into and settling in this country.

Mr. *Huskisson* wished, that the limitation of time might be extended, and that more latitude might be given.

Mr. *Peel* said, he could not accede to this suggestion. He did not mean, by this clause, to fritter away the security, but to obviate an objection which had been made the other evening.

Sir *J. Sebright* approved of the clause. He said, he thought the country was under great obligations to his majesty's ministers, and especially to the right hon. Secretary, for bringing forward this measure. As he had not spoken on the subject, he took that occasion of expressing, in the strongest terms, his admiration of the conduct of the right hon. gentleman, who had shown much magnanimity and true patriotism.

The clauses were then agreed to.

Sir *R. Vyvyan*, with reference to the system of education practised by the Jesuits, and which had been commended by the hon. member for Aberdeen said, he knew that much mischief had been done thereby, as they had thereby been enabled to make many converts. The right hon. member for Liverpool had suggested a longer time than the right hon. Secretary. Now that was what he was much afraid of. He had no opinion of their system of

education. What would the Jesuits teach our children? What had occasioned their expulsion from France? So far from agreeing with the hon. member for Aberdeen, as to the good which the Jesuits had done, he maintained that whenever they had had the power, they had acted in a manner inimical to Protestant liberty. And in literature, what had they done to ennoble or elevate mankind? The hon. baronet concluded by moving a clause, of which the effect was, that no Jesuit or member of any monastic institution should be a school-master, under a penalty, for the first conviction, of 200*l.*; for the second of 500*l.*; and for the third of banishment for life. He intended also to propose, that if within three months after the passing of this act any monastic establishment should harbour any young person, being a subject of his majesty, the establishment should be dissolved.

Mr. *Peel* observed, that the clause would be unjust, because the act of 1791 gave to the Catholic clergy the right to keep schools for the education of Catholic youth; and the clause now proposed prevented both Catholics and Protestants from being educated by Jesuits. With respect to school-masters, the act required, that their names should be registered with the clerk of the peace, and parties who kept a school on the faith of the act would have just ground of complaint. On the principle of public faith it was objectionable. Although it might be desirable to prevent the education of youth by Catholics, he would rather stand on the public ground of good faith.

Mr. *Monck* agreed with his hon. friend, that no religious order had produced more eminent men than the order of Jesuits.

Mr. *P. Thompson* declined giving his support to the amendment on the grounds stated by the right hon. gentleman; with whom he perfectly agreed.

Sir *R. Vyvyan* said, that in 1791 there were no Jesuits in any part of Europe except Russia, as the order was not revived until the year 1814. He believed that before many years elapsed the gentlemen who now talked so loudly of showing kindness to the Jesuits would lament their own injudicious liberality.

Mr. *Huskisson* opposed the amendment. All experience had, he said, taught him that in religious concerns severity defeated its own object. With respect to the clause gone by, nothing was further from his in-

tention than to touch those who resided in this country. His object was to invest the Crown with power, in particular cases, to extend the term of residence, not for life, but for a longer period than six months. One great advantage of the clause proposed by his right hon. friend was, that but for it the severity of the law would make it fall into disuse. It ought to be in the power of the Secretary of State to grant a second license; for there were cases in which it would be impossible for a person to perform the business he had to transact in this country in so short a time as six months. He knew a case in which four of these individuals had been sent for by government from Canada, on account of public business; the transaction of which occupied them a considerable time.

The amendment was negatived. On the motion, that the bill be engrossed, the House divided, Ayes 233; Noes 106; Majority 127.

HOUSE OF LORDS.

Monday, March 30.

ROMAN CATHOLIC CLAIMS—PETITIONS FOR AND AGAINST.] The Earl of *Hardwicke* presented a petition from *Wisbeach*, in favour of Catholic Emancipation. The noble earl said, he had acquired some knowledge of the state of society in Ireland, from a residence of six years in that country; and that knowledge induced him to give his cordial concurrence to the measures now under the consideration of parliament. He was convinced that the more they were known, the greater would be the satisfaction which they would give to the country. They would not only tend to secure the Protestant institutions of the country, but would ultimately produce a greater reduction in our establishments than any other measures which could be devised.

Earl *Cawdor* presented a petition from certain highly respectable individuals connected with the county of *Pembroke*, in favour of the Catholic claims. The noble earl complained of the great excitement which had been created on this question in the county of *Pembroke*, on account of the inflammatory placards which had been industriously circulated in every part of it. One of them, he regretted to say it, was the production of a clergyman of the church of England. He did not mean to

dispute the right of every man to defend his own view of every political question; but he must be forgiven, if he explicitly declared, that no clergyman had a right to issue such a paper as he was going to read to their lordships. The rev. gentleman stated, in his address, that the Protestants were to be required to contribute against their will to the maintenance of the popish clergy. He likewise stated, that the admission of papists into parliament was nothing less than the loss of the liberty and of the life of every Protestant; and in consequence he called upon every Protestant to require his majesty to dissolve his parliament, in order that his majesty might be convinced how ill he was advised by his present hypocritical and cowardly ministers. He called upon them, as they would answer for it at the last day, before the awful tribunal of Almighty God, to come forward in defence of their holy religion; and he told them, that if they did not, they would identify themselves with Papists, Socinians, Deists, and Infidels, and would stand in equal chance of damnation. The noble earl observed, that he should be well content to suffer in the good company which had all along supported the cause of emancipation; and that he had no objection to take his share of the condemnation which the rev. gentleman had dealt out to them. He was sorry to say, that this was not the only placard of such a nature circulated in the county. Besides this effusion, there were others of a most inflammatory character, circulated not only by the rev. gentleman but also by a society which took its name from disseminating religious tracts. His only reason for mentioning these placards was, that the excitement which they created, aided by the language in which the rev. gentleman indulged at a county meeting, asking the freeholders whether they were prepared to give up their Bibles and to serve the pope, rendered the people so tumultuous, that they would not hear any of the gentlemen who attempted to address them afterwards. The consequence was, that the high sheriff dissolved the meeting; and hence no petition could be presented to the House as the petition of the county of *Pembroke*. A great many gentlemen who were present at the meeting had since signed their names to a petition for emancipation; intending thereby to state their own opinions to par-

liament, and to testify their disapprobation of the manner in which the county meeting had been disturbed. He was ready to admit, that the petition was not numerously signed; for it was not every man that liked to be pointed out to an infuriated multitude as a Papist, a Socinian, a Deist, or an Infidel. On the evening of the day on which this meeting was held, a mob paraded the streets of the county town, broke the windows of all the persons whom they thought favourable to the Catholics, and in one or two cases absolutely threw fire into them. The petition which he now had the honour to present was signed by thirteen magistrates of Pembroke, who were present at the county meeting which was dissolved on account of its disorderly conduct. It was also signed by a number of clergymen, and by many gentlemen of very large property in the county.

The Duke of *Hamilton* said, that he had two petitions to present in favour of Catholic emancipation, from the Roman Catholic and the Protestant inhabitants of Greenock. To the best of his knowledge no improper arts had been used to procure these petitions. When he considered the mode in which petitions had lately been manufactured, he could not but grieve to see how completely the right of petition had been prostituted. He was happy to state, that he had been a supporter of the Catholic claims ever since he had sat in either House of parliament; and he was still more happy to be able to proclaim in that House, that from the first time in which those claims were brought into discussion, his mind was awake to their merits. Since that period, a general sympathy with those claims had been produced throughout the empire, and a conviction, that the concession of them would benefit every portion of his majesty's dominions. He had not attended the recent discussions upon the Catholic question; and his reason for not doing so was, that he saw them go forward, session after session, without producing any practical effect, save that of giving scope to the ingenuity and eloquence of certain individuals. If he had seen any cause to alter his opinions, he should deem himself highly culpable if he did not declare it; but, on the contrary, he saw additional reasons every day for cherishing the opinions which he had originally entertained on this question.

Lord *Farnborough*, in presenting a petition against further concession to the Roman Catholics, said, he would take that opportunity of stating, that he saw no reason to depart from the vote he had already given against the grant of any further political power to the Roman Catholics; because he considered now, as he had always done, that the grant of such power would be dangerous to the constitution. He should, therefore, feel it his duty to oppose the measure which had been introduced into parliament, though he sincerely regretted to be opposed to ministers, of whose measures he generally approved.

HOUSE OF COMMONS.

Monday, March 30.

ROMAN CATHOLIC CLAIMS—PETITIONS FOR AND AGAINST.] Mr. *Egerton* presented petitions against further Concessions to the Catholics from Brereton, Haslington, and other parishes in the county palatine of Chester.

Mr. *E. Davenport* thought the House ought to be made acquainted with some circumstances relative to the petition just presented from Haslington. He was informed, that the meeting at which it was voted was managed so snugly, that the rector of the parish, though residing within a mile of the place, knew nothing of it until a few hours before it took place. Being himself favourable to Catholic emancipation, the rector thought it not inconsistent with his duty to attend the meeting, with a view of recommending his own benevolent principle, of doing to others as he would be done by. On arriving, however, he found the ground pre-occupied by the officiating minister, who had taken the chair, and was conducting the whole business himself—reading, recommending, and moving the petition, and addressing an animated speech to some twenty or at most twenty-five farmers and labourers; in which he assured them, that he was ready to shed his blood for the constitution. Of course, when the good people heard that the constitution was in so lamentable a plight as to require such sacrifices, they had no choice left but to sign the petition. Now, as this cry of "constitution in danger" was become the cuckoo-note all over the country, it would be very desirable if the petitioners, and those speakers from whom they took their

cue, would be good enough to define, what they mean by the constitution and state, and the exact nature, situation and extent of the wound to which they imagined it was exposed. To judge from their language, one would suppose they considered the constitution as a convenient but not very commodious edifice, and far too small to contain the whole population,—an edifice with two sides to it, the inside for themselves, and the outside for all who disagreed with them in opinion; and they would divide it with the Catholics as in the same manner the Irishman proposed to divide the house with his quarrelsome wife. Every incentive that could act upon the fears of man had been employed to induce the people to come forward in the county from which this petition proceeded: placards of the most inflammatory nature had been disseminated; one, published by the church and king oracle at Chester, and signed “T. Fletcher, printer.” This placard called upon the people of England, to rise to a man in defence of their religion; and, after a great deal of similar stuff, concluded by desiring the whole population to go in a body to Windsor, and call upon his majesty to refuse his assent to the bill. The people had been told, that they would be massacred if the Catholics got admittance into parliament: and when gentlemen and magistrates — when persons in the station of chairman of the quarter-sessions, and foreman of the grand jury,—figured at the head of the grand work of delusion, the wonder was, not that they should meet with some success, but that any should refuse to sign their petitions. The latter gentleman, indeed, held a still higher station—a post of great power and patronage: he was manager of the fox-hounds, and, being a person of popular and social habits, must naturally have some influence. Accordingly, names no less important than those of the huntsman and both the whippers-in, would be found attached to the petition.

Sir R. Inglis presented a petition from the ministers and elders of the Presbytery Forfar, praying that Roman Catholics might be excluded from certain offices under the provisions of the proposed Relief bill.

Mr. Abercromby observed, that this was not a petition against, but in favour of, Catholic emancipation; as the petitioners admitted the principle of the mea-

sure, although they wished to make some exceptions in its operation.

Sir M. S. Stewart wished to take that opportunity of saying, that as on the presentation of a petition on a former evening by his hon. friend the member for the University of Oxford, from Bothwell, in the county of Lanark, against further concessions to the Catholics, he had felt it his duty to read a letter which he had received from an hon. friend of his then residing in the parish, and he believed the largest proprietor in his parish, relating some circumstances respecting that petition, and mentioning some strong language used by the minister of the parish on that occasion, he now also felt it his duty to say, in justice to that reverend gentleman, that he had received a letter from him contradicting the statements, and denying the correctness of the information contained in that letter. He took that opportunity of stating this, when he saw both his hon. friends the member for the University of Oxford and the member for the county of Argyll, in their places.

Mr. W. F. Campbell said:—I shall not long trespass on the time of the House, but having heard the statement which the hon. member for Lanark has just made, I feel myself imperiously called on to trespass on your time for a few minutes. That hon. member has, through courtesy I presume, abstained from mentioning the gross terms in which the reverend gentleman has thought proper to deny the statement I made by letter; but I will inform the House, that that information he has thought proper to designate as a tissue of infamous falsehoods. I now, therefore, stand here in my place, as a member of this House and as a gentleman, to confirm with my voice the statement formerly read by the member for Lanarkshire, as to the manner in which the petition was got up from the parish of Bothwell. The reverend minister for that parish did, from his pulpit, announce, that a meeting was to be held in the relief church of Bells-hill on the Friday following, for the purpose of petitioning parliament against the bill for the relief of the Catholics. He enjoined them to come forward to a man to sign in, telling his parishioners, that the Catholics would, by bloodshed, force them to resign their bibles and their faith, and for the future to worship fire, faggots, and a crust of bread. Let it be understood that this, his first oration, I did not myself hear,

but it was so stated to me by those incapable of making a false statement; and were any corroboration of this statement necessary, I received it on the Friday following in the church at Bells-hill. The rev. gentleman there repeated this, and much more. He told those assembled, that it was their duty as christians to oppose this bill—that if they did not, they would be throwing away the light of the precious gospel, which they now enjoyed;—that it was their duty to sign this petition; and if it failed, that it was their duty to resist it with their blood;—that by blood the Catholics had ever tried to advance, and kneedeep they would again try to do so. To prove how bloody-minded they were, he read extracts from the Rhemish Testament, one of which was, that it was lawful for a Catholic to kill a heretic, if he refused to accept the true faith. He told them, that the Inquisition, which was now raging in Spain, Portugal, and Italy, would soon rage here; that if the Catholics were admitted to civil power, they would take from them their bibles, and would force them to worship a crust of bread. When I corrected his statement, with regard to the raging of the Inquisition in Italy, he produced as his authority a work, entitled “A Three Years’ Residence in Italy of a Pious Family,” by a Lady; and did from that read a description of the terrors which their drawing-master had undergone, in passing the dungeons of the Inquisition, lest some of the satellites of that institution should seize him and place him in one of them, there to linger out the rest of his wretched existence. So much for the religious part of his argument. For the political part, he stated, that if fifty or sixty of this proscribed body once got into this House there was an end to our religion and constitution; for though, said he, this is but a small part of the whole number, yet they will form the centre round which the Atheists and persons of no religion at all will form and who will vote for any thing, provided it is for their own interest; and he did, by name, denounce one hon. member of this House as an atheist.—And now for the conclusion. Having finished the business of the meeting, it was closed in prayer; and having told his parishioners, that if they did not oppose this bill they would be rejecting the light of the gospel, in that prayer he used these words:—“And may they who reject the gospel not find, on the last day, that it is better for the

dwellers in Sodom and Gomorrah—better for the poor blinded Papists themselves—than it would be for them.” These statements this reverend gentleman has termed a tissue of infamous falsehoods. I, however, again assert and confirm them, as a man of honour and a gentleman. I will allow that the reverend gentleman is a most amiable character, and universally beloved by his parishioners; but in this case his zeal has unfortunately greatly out-run his discretion.

ROMAN CATHOLIC RELIEF BILL.]

Mr. Secretary Peel moved the order of the day for the third reading of this bill. On the question being put,

The Marquis of Chandos rose, he said, for the purpose of objecting to the motion. As that was the last night he should have an opportunity of expressing his opinion on the measure, he begged leave to trespass on the indulgence of the House for a few moments, and to reiterate the grounds upon which he was induced to give it his decided opposition. He confessed that, after all he had heard from hon. members since the commencement of the session, in favour of concession to the Catholics, and after all the arguments that had been adduced in favour of the right hon. Secretary’s bill, he had not yet heard a single reason or ground for altering his opinion against that concession, or of admitting the necessity of the measure. That measure had been described by its originator in that House as “a breaking in upon the constitution of 1688.” He would go farther, and maintain, that it not only broke in upon the constitution, but actually destroyed it—that the constitution after that measure was adopted would be a new one. He stood there as the firm, unbending advocate of the Protestant cause, and he would repeat, that he had heard no reason or argument justificatory of the present bill, and therefore no ground for the change of policy of hon. members. When he said he stood there as the advocate of the Protestant cause, he could not but regret, that that cause had lost the leader in whom the Protestants had so long placed implicit confidence, as well as many other hon. members who had hitherto been its zealous advocates. It was true, that the right hon. gentleman to whom he alluded had given some explanation of the grounds of his change of policy, and had most honourably restored to his Protestant consti-

tients the trust they reposed in him,—but so much could not be said for many hon. members who had imitated his conduct. The House had yet to learn the arguments by which those hon. members were induced to abandon the Protestant cause and to vote in favour of concession to the Catholics. With respect to the alarm consequent upon a measure which would give the constitution of the country a new character, he must say, that he hoped, when the bill had passed, and that the Catholics had, as a consequence, felt that they had gained their object—that they would be actuated by such a spirit of gratitude to the legislature, and would deport themselves so respectfully towards their fellow-subjects of other denominations, that they would induce their Protestant brethren to bestow upon them their confidence, so that they would all live in one common respect to the laws. He trusted that the Catholics would never forget the circumstances under which the laws against them had been enacted—circumstances which, he earnestly trusted, would never recur; and he hoped, indeed he was confident, that should the Catholics forget those circumstances, and the debt of gratitude which the present bill would lay on them, the Protestants of England would rise as one man to rescue and restore the Protestant constitution. With these observations he would take leave of the present question; but before he sat down he begged leave to express his hope, that every angry feeling which the recent discussions had given rise to would be allayed—that all party hostility would be forgotten. He, for one, had never approached the discussion in the spirit of faction—he had never embarked in his opposition to the measure, a single feeling of personal or party hostility, but had spoken and voted honestly and conscientiously. He was willing to give those who differed from him credit for the purity of their motives; for he was conscious of the purity of his own. He hoped he was wrong in his apprehensions, that the new constitution which the present bill would create, would not answer the people of England; but he feared he was not, and therefore would persist in his opposition to the bill. He was confident that more would be lost by the Protestants than would be gained by the Catholics, for the very existence of the Protestant constitution of 1688 was endangered. He repeated

—he would then finally take leave of the question. He felt that he had done his duty to his constituents and his country; and would then, at the last stage, express his opposition to the bill before the House by moving as an amendment, that the bill be read a third time that day six months.

Mr. Moore begged leave to second the amendment. The bill before the House had been justly described by the noble marquis, as not only a breaking in upon the constitution of 1688, but as destructive of the laws then established. Nor was he without high authority for this opinion: he had that of no less a statesman than lord Chatham. In the year 1774, it was proposed to exempt the Catholics of one of our American colonies from taking the Oath of Supremacy. To that proposition lord Chatham was most decidedly opposed, contending, that it was as contrary to the spirit of the constitution to repeal the Act of Supremacy, or any other act against the Catholics, passed in the reign of Elizabeth or of Henry 8th, as to repeal the whole Bill of Rights. If such was the solemn opinion, as to repealing the Act of Supremacy—one of the last efforts of that great statesman—even in the case of a remote colony, what would he not have said in relation to a measure affecting the British empire? Why was the present bill brought forward before time had been afforded for taking the sense of the people calmly and deliberately upon its merits? Surely no subject required more time, as none required more deliberation. It was said, that the subject was not new to the people, that it had been for thirty years under discussion. But he contended, that it was not before the people in its present form—that it had hitherto presented a different character. The question formerly discussed in parliament and elsewhere was, the nature and the amount of danger consequent upon the admission of the Catholics to the civil advantages of the state: the question now for the first time submitted to the House and to the country by his majesty's ministers was, a balance of danger; for those who had brought forward the present bill, admitted that there was danger, great danger, in placing the Catholics on a political equality with the Protestants, but argued that there was greater danger in excluding them. Now, without entering upon this point of a balance of danger, he asked, why was not time given to the

country to inquire into the merits of a comparison of advantages and disadvantages that had never been suggested before—of advantages to be gained on the one hand, and of disadvantages to be gained on the other? Such time and such inquiry were necessary, with the view of making the settlement of the question satisfactory to all classes of the community. He moreover thought, that the pledge given by that House at the commencement of the session involved such an inquiry, and, in consequence, the time necessary to its completion; for it was stated in the address to the Crown, that the House would apply itself first to suppress the Catholic Association, and that being done satisfactorily to all classes, that it would then, but not till then, inquire into the state of Ireland, and the laws affecting the Roman Catholics. Such a course would have required time, during which existing excitement might have been allayed, and existing evils corrected. Was not the very excitement—no matter how occasioned—an argument for delay and deliberation? But it was not alone with a view to subdue excited feelings that delay was necessary; it was required, were it only to obtain more information than the House at present possessed, on all the bearings of the important measure then under its notice. Every night's discussion brought some new fact to light, or showed the necessity of more information. For instance, the other evening when the question of securities was before the House, it was proposed by an hon. baronet to extend the clause relating to monastic institutions to the colonies; but it was found, that some of the colonies were so constituted, that they could not admit of the application of the clause. At another time it appeared, that many lay corporations—how many, the House even yet had not the means to determine—exercised an influence over many Protestant ecclesiastical establishments, of the nature of which influence there was no information before parliament. It was admitted on all hands, that the sense of the people of England was hostile to the measure; but it was contended, that that hostility was occasioned by temporary excitement. Admitting that to be the fact, should not time have been allowed to allay that excitement, and to enlighten the people on the merits of the question? Such delay was the only mode whereby to obtain a

dispassionate and deliberate examination of the real tendency of the present bill; and such a deliberate and dispassionate examination was the only means of ensuring a satisfactory and beneficial result to that bill. When, after calm inquiry, the people had determined upon the safety and expediency of concession, then, and then only, would concession be advantageous; then, and then only, would its accompanying securities be satisfactory to all classes; and then, and then only, would the admission of the Catholic to the political benefits of the constitution be productive of peace to Ireland and contentment in England. But now they were about to give to the Roman Catholics the power to legislate for all the Protestant establishments of this country; they were about to concede to them the power of legislation over the Established Church, its rights and privileges, and over all the Protestant institutions of England and Ireland. These were the powers which this sweeping measure conferred. What were the securities given in return? True it was, that a Catholic minister could not interfere directly with ecclesiastical patronage and appointments; but, would the Catholic members of a privy council exercise no real and substantial influence in the disposal of such patronage? He was sure that this measure would tend directly to the overthrow of the Protestant establishments and institutions of these countries. They were about to give the Catholics in Ireland a power over the appropriation of corporate funds which had been hitherto devoted to the support and maintenance of Protestant institutions; and how could they answer for the proper application of such funds in future? They were about to allow Catholics to be the governors of distant colonies, where, being far removed from the control of the king and of parliament, they might withhold that assistance which had been hitherto deemed necessary for the existence of the Protestant religion and clergy there. They were about to alter the constitution of this country, and to deprive it of the character of Protestantism which had so long belonged to it, and which had been uniformly considered as the best safeguard for our rights and liberties. These were his objections to the measures, and it was for these reasons that he supported the amendment of his noble friend.

Mr. *Hyde Villiers* said, he could not at all concur in the views which had been taken of this measure by the noble marquis, and by the learned member who had just set down. On the contrary, he could not refrain from congratulating the House upon the circumstance of this important measure having now reached the last stage in its progress through this House. So far from coinciding in the sentiments of the noble marquis and the hon. member, he would say, that this measure never could have been carried under more auspicious circumstances. He would say that, whether he looked at the nature of the measure itself, or at the manner in which it had been introduced by the right hon. Secretary, and supported by its advocates in that House, it was his firm belief, that there never was a period when the concession of the measure was better calculated to satisfy the Catholics of the empire; and, as far as regarded the House of Commons he would express his belief, that there never was a time when the House itself had better reason to be proud of its own proceedings. The hon. member for Dublin had spoken of the address to which the House had agreed at the opening of the present session, and he appeared to attach some importance to the pledge which had been given by the House on that occasion. To that pledge, upon different grounds, and for far different reasons, he also attached considerable importance; and he conceived he should satisfy the House, that in the view which that hon. member had taken of the nature of that pledge, he had been completely mistaken. Ever since he had been able to form an opinion upon political subjects, he had been of opinion that the Catholic claims were withheld upon insufficient grounds, especially in reference to Ireland. As all governments professed to be founded for the good of the community, he never was able to discover any principle that could justify this country in withholding the claims of the great mass of the people of Ireland; nor could he ever find out any thing in the circumstances of Ireland, which could in any degree justify the maintenance of a system of laws there, which were equivalent to a lasting sentence of strife and contention in that country. With that position he had originally set out in political life; and he was if possible, more confirmed in it by the conduct of the anti-Catholic party

throughout the discussions on this measure. The anti-Catholic party, who opposed this bill, had been over and over again pressed by the advocates of the measure, to point out the remedy which they would propose for the evils of Ireland, and they had uniformly evaded the question, and shrunk from the inquiry. In thus evading that inquiry, the anti-Catholic party had, in his opinion, violated those principles of fair and full discussion, upon which a great legislative assembly should uniformly act. He had always been convinced, that whenever the time arrived when the Catholic question should be viewed fairly and fully, in reference to the state of Ireland, it would be impossible for any man accessible to argument to come to but one conclusion, that the question ought at once to be conceded, and he therefore thought that the anti-Catholic party had no other course to pursue, but to evade any inquiry into the state of that country. He had further been always of opinion, that there was only one way of breaking through that evasion of the anti-Catholic party, and of forcing them to come to the consideration of the Catholic question in direct connexion with the situation of Ireland; and that, as it appeared to him, was precisely the way which his majesty's government had adopted in making this a cabinet measure, and in calling upon the legislature, in the Speech from the Throne, to consider those two important topics in the manner in which they should be considered; namely, in direct connexion with each other. For it was plain, that when that was once done, the Catholic question was placed upon totally new grounds, and the opponents of the measure were put to the alternative of either rejecting—as they might do constitutionally, but not consistently with their past conduct, nor in accordance with their professions of loyalty—the recommendation from the Crown, or of adopting, as might have been expected, that recommendation, and thus standing pledged to devise some remedy for those evils, an inquiry into the existence of which they could no longer avoid, or to join the government in supporting that measure which his majesty's ministers had brought forward, for the removal of those evils which were now acknowledged on all hands to afflict and distract the condition of society in Ireland. He therefore gave the government credit for

the course which they had adopted, as the best and wisest which could, under all the circumstances, have been devised. It was with sincere gratification, therefore, that, on the first day of the session, he had listened to the Speech from the Throne, recommending the legislature to take into its deliberate consideration the whole state of Ireland, convinced as he was, that no effectual remedy could be devised for the evils existing in that country, unaccompanied by Catholic emancipation. He had heard, he repeated, that recommendation with sincere pleasure, as he well knew that the concession of the Catholic claims was the great remedy, without which all others would be of no avail, for allaying the dissensions of Ireland. He was led to believe, when he saw the anti-Catholic party not refusing to accede to the recommendation of the Crown, but actually adopting that recommendation, and agreeing to an address which pledged them, after suppressing the Association, to take "into deliberate consideration the whole condition of Ireland, and to consider whether the repeal of those laws to which his majesty had directed their attention might not be effected, consistently with the full and permanent security of all our establishments in church and state."—He was, he said, led to believe when he found the anti-Catholic party adopting such a course, that they were, *bonâ fide*, intent upon entering on the consideration of the whole question, in a fair and manly manner. Thus far every thing had proceeded according to his most sanguine anticipations. He hoped that a full and impartial discussion of the state of Ireland would at length be had, and that on no side of the House would the least desire be exhibited to shrink from inquiry, or to avoid investigation. His hopes, however, which were thus raised, were soon depressed, when he found the anti-Catholic party in that House not only opposing the present measure, but disregarding their engagement given to the Crown, as to the course which they should feel it their duty to adopt,—forgetting the pledge which they had given, to enter upon the consideration of the "whole condition of Ireland"—refusing to enter upon that question altogether, and opposing the bill which had been brought forward for the removal of the evils existing in that country, as if they had given no pledge whatever on the sub-

ject, and had not distinctly engaged, in pursuance of the recommendation from the throne, "to take the whole condition of Ireland into their deliberate consideration." That party, in agreeing to the address, had distinctly pledged themselves with every other party in that House, to adopt the recommendation of his majesty, and to enter upon the consideration of the state of Ireland; and when, in pursuance of that recommendation, his majesty's ministers had brought forward a measure for the removal of Catholic disabilities, consistent with the security of the Protestant institutions and establishments of the country, and which they considered best calculated to fulfil the intention of his majesty, nothing could be more natural or consistent, than for those hon. members who composed the anti-Catholic party to oppose that measure; but it was incumbent on them at the same time to provide some remedy of their own in its place. They were at perfect liberty to give what opposition they pleased to the measure introduced by ministers; but they should be ready, at the same time, to produce a plan of their own, better calculated to fulfil those intentions of his majesty, and to carry into effect that recommendation, to which they had distinctly and unequivocally pledged themselves. He could not conceive how those hon. members could reconcile it to their sense of consistency, to agree to the terms of the address, pledging them to take into consideration the whole condition of Ireland, and subsequently to adopt the course which they had pursued; for though pledged to take the state of Ireland into consideration, the hon. member for Dorsetshire, in his speech on a former evening, postponed the consideration of the state of Ireland altogether, while the hon. member for Corfe Castle argued the whole question without adverting at all to Ireland. The hon. member for Kent, and another hon. member, had contended, that they were not bound, in discussing this question, to enter at all upon the point as to what the state of Ireland might require. The Attorney-general had dismissed the state of Ireland in a parenthesis, and the hon. member for Newark had actually apologized to the House, for adverting to the state of that country, into the consideration of which they had been specially called upon, and had distinctly pledged themselves, to enter. He confessed that

when such conduct was exhibited by the anti-Catholic party, he despaired of seeing the question met, on their parts, by a full and fair discussion of its merits. Perhaps he had formed an incorrect estimate of their conduct—perhaps they had not given the pledge to which he had referred—perhaps they had not entered into the distinct engagement which, in his humble judgment, they had made; but, if he was right in his opinion,—and he believed the facts of the case would bear him out in it,—he would say, that the manner in which that party had received the proposition of ministers proved manifestly, that they had nothing better themselves to propose; and their uniform evasion of the question, as regarded the state of Ireland, was incontrovertible evidence, that they never entertained serious intentions of entering upon the discussion of that important subject. He had thus retorted upon the anti-Catholic party the charge of inconsistency which the hon. member for Dublin had endeavoured to affix on others, but which exclusively attached to themselves; and he would only, in conclusion, again express his gratification at beholding this great measure of justice and liberality arrived at its final stage in that House.

General *Gascoyne* said, he felt that this measure went to alter the Protestant constitution of this country, and in justice to those who had sent him to that House, he considered it his duty again to enter his protest against it. Nothing that had occurred throughout these discussions had at all altered the opinions which he had expressed when this measure was first introduced—nothing that had since occurred had at all diminished his fears, or allayed his apprehensions—and he was now, as then, strongly opposed to a measure, which went to alter that Protestant constitution under which they had lived and prospered for a century and a half. They were called upon to sacrifice those opinions which had been maintained and cherished in this country ever since the year 1688, on the bare idea that the settlement of this question would tranquillize Ireland. Were the Catholics of Ireland labouring under any religious persecution from which they claimed relief? If they were obstructed in the exercise of their religion, he would be as ready as any one to support a measure for their relief. But, what were they about to do? They were

called upon to sacrifice their opinions, and to pass this measure, for the purpose of satisfying a few Catholic demagogues in Ireland. This measure was neither more nor less than the admission of Catholics in parliament. They were already represented admirably in that House. The present Irish representatives were a most useful body of men; they, on all occasions, attended to the discharge of their duties; and if they had any fault, it was, that they were rather too national in their views. This measure would introduce Catholic members in their place. He looked on the whole measure as the result of the arts and wiles of restless demagogues; and he was sure, when this bill passed, that the lower orders in Ireland would seize the opportunity to gratify their bigotry and prejudices, by returning members of their own religion. Those who possessed the best knowledge on the subject asserted, that they would shortly have thirty or forty Catholic members in parliament, and that from Ireland alone. The present Irish representatives must then bow to the Catholics, whom the populace would return, and tell them, that they had only kept their places for them until they succeeded in obtaining the admission of Catholics to parliament. This measure, then, instead of pacifying Ireland,—instead of introducing peace and quiet there,—would generate innumerable contests to gratify the ambition and the bigotry of the Catholics. In all human probability, at the next general election,—and a dissolution of parliament could not now be distant,—this feeling would be displayed from one end of Ireland to the other. It was not to be supposed, that this question would, as some imagined, be forgotten in a few months. The civil dissensions which desolated England in the wars of the Two Roses did not pass away for a century; and this measure which had engaged the feelings and opinions of the people of this country for the last twenty or thirty years would not be forgotten for many years to come. The principal object of this measure was to admit Catholics to parliament. It was therefore pregnant with strife and contest. The lower orders of Catholics would vote for a candidate of their own religion, and if an election came on, suppose for the city of Limerick, the present hon. member would, of course, give way to some of the Sheils or O'Gormans, or some other

Catholic candidate. The forty-shilling freeholders would crowd in, of course, to support the candidates of their own religion; but what would be their feelings when told, that at the same moment that parliament granted them the liberty to vote for a Roman Catholic, it took away their right of voting altogether? The Protestant freeholder, who had petitioned parliament that things might remain as they were, would be told that he was laughed at as a stupid fellow for making the request, and that instead of letting things alone, parliament had deprived him of his vote and given emancipation to the Papists. Was, then, this measure at all calculated to produce peace or quietness in Ireland? So far from conciliating Ireland, it would, in his opinion, supply new materials for fatal discord throughout that country. This was not what Ireland wanted. She wanted a resident gentry, lower rents, and higher wages. She wanted the influx of capital, the introduction of the poor-laws, and above all, she wanted that true religion, under which liberty had prospered in this country. He could not see what benefit this measure was calculated to confer on the lower orders of the Irish population. If the poor-laws were introduced there; and if this measure were accompanied by any measure like that of 1825, for paying the priests, or with any thing for giving employment to the poor, there might be some good expected from it. But he could not see what essential service would be effected for Ireland by the admission of a few Catholics to that House. The sentiments of the people of England had been expressed most unequivocally against this measure. No one could deny that the vast majority of the people of England were hostile to it. If the experiment of a general election were tried, it would be found that nine tenths of the whole population of England were against this bill. If the suggestion of the hon. member for Dublin had been adopted—if this bill had been read a second time, and suffered to lie over then till after the Easter holydays, then perhaps the opposition against it would not be so strong; at all events, the people would have been afforded a fuller opportunity of expressing their sentiments upon it. But to the bill in its present state he should give his determined opposition. It was very important for the House to inquire into the nature of the securities offered

to them—if securities they could be called. Almost the only one which he saw was a sort of declaration, and by no means a satisfactory one. But his right hon. friend seemed to think that the securities were quite sufficient; and he argued, that although the principle of the bill admitted Roman Catholics to nearly the whole of the great offices of the state, yet that the limitations, provisions, and restrictions of the bill were such, that Roman Catholics would never consent to take several of these offices—that, for instance, of secretary of state. He, however, was not quite sure of that. In his opinion, it would be better to exclude Roman Catholics directly, than to say to them, "If you accept of these offices, you must forego much of the power and privilege that belongs to them; because, if you exert that privilege, and exercise those powers, you will subject yourselves to the utmost rigour of the law." According to the formation of this bill, there was no security to satisfy the Protestant; neither was its provisions calculated to give satisfaction to the Roman Catholic. He believed that, at one time, when Mr. Canning was in office, some idea was entertained of paying the Roman Catholic priesthood out of the national purse; and he thought, from the manner in which the measure was now brought forward, that his right hon. friend had entertained some feeling of that kind himself; but, as his right hon. friend must have seen that such a proposition would render the bill more generally unpopular than it was, he had thought fit to abandon that idea. The way in which this measure was brought forward and supported would, he feared, prove the destruction of all confidence in public men. The departure from long-established principles—the extraordinary conversions—the many tergiversations which the public had lately witnessed, must tend to destroy all confidence in parliament. Such proceedings would, without doubt, be succeeded by a general indifference, as to the conduct of public men. They might hereafter act in unison together on questions involving some great principle; but of this they might rest assured, that personal confidence in public men was at an end. They had known times, during the late war, when party ran extremely high; but still consistency of conduct was maintained, and men of different sentiments respected each other, and were

respected by the public, on account of that consistency. The case was, however, now altered. He was confident, that, before the present session was over—at least, before another session was over—his right hon. friend would find himself in a very different situation from that in which he now stood. The support which he now received from a quarter, which, generally speaking, had no confidence in him, and entertained no feeling in common with him, could not last. Having combined merely to effect a particular object, they would desert him when that object was obtained. Did his right hon. friend suppose that no latent feeling for carrying other points remained in their breasts? Did he think, that when the present measure should be accomplished, they would continue to extend their support to him? If he flattered himself that they would do so, his right hon. friend would ultimately discover that he was mistaken. He knew that no man more deserved personal regard than his right hon. friend did: his private qualities were deserving of the highest praise: his goodness of heart, and his frankness of manner, could not be too much applauded; but his political conduct was another matter, it called for the most severe scrutiny, and he doubted not that the time would arrive, when his political delinquencies would be remembered and visited upon him. He was, in a great degree, authorised in saying this when he heard the sentiment echoed through the country by the people. He harboured no intention of opposing his right hon. friend on other questions; but he very much feared that in future, there would not be manifested, in the support which he was likely to receive, that anxious zeal, arising from personal regard, which his right hon. friend formerly commanded. If Ireland should not be pacified,—and he believed, in his conscience, that Ireland would not be more quiet at the expiration of the present year, or at the end of the next session, than it had been for a long period,—if government were not able to make a considerable deduction from the military force now employed in that country,—then parliament would have a right to challenge, not only his right hon. friend, on his responsibility, but those also who supported and maintained this measure, to reconsider and amend it. If ministers could not give a satisfactory

answer to the question which, under such circumstances, might be put to them, then he conceived that it would be the duty of parliament not to lose the opportunity, but to undertake the revision of the measure.—There was one point connected with the state of Ireland which he regretted had not been brought before the House, and which, before he sat down, he begged leave to mention. He knew not why some system of poor-laws was not applied to Ireland. The only motive he could conceive which induced ministers not to bring the subject forward was, because they wished to avoid that species of taxation which would naturally and necessarily fall on the absentees. He trusted, whatever difference of opinion might exist as to the subject immediately before them, that they would unite in doing this special service to Ireland. His hon. friend, the member for Newark, had done himself immortal honour, by the manner in which he had touched upon this question. He hoped that those who were favourable to the introduction of the poor-laws into Ireland would not be intimidated in their endeavours to effect that object; and he cherished a hope, that his majesty's ministers would give their concurrence to some plan of the kind. Certain he was, that without some such measure it was impossible for Ireland to be tranquillized. There was one clause in the present bill of which he approved, and which he hoped would be acted on. It was that clause which declared, that the bill might be altered or amended even in the course of the present session. It was, he conceived, useless in this, the last stage of the bill, to offer any plan of amendment, or to propose any alteration in this measure; and his principal object in now offering himself to the House was to state that he was as decided an opponent to the measure in its last stage, as he was when it was originally introduced.

Mr. *Townshend* said, he did not mean to follow the opposers of the bill through all the various topics which they had introduced. His intention was to state, as shortly as possible, the reasons which disposed him to give his support to this measure. He meant, then, to vote for this bill on the ground of expediency; because he thought it was much better to run the risk of incurring a minor mischief, than to encounter the almost certainty of a greater. He could assure the noble

marquis, and other hon. members who thought it their duty to oppose this bill, that, in taking this course, he did not admit the abstract right of the Roman Catholics to those privileges which the legislature was about to confer on them. He would also say, that he did not yield to that noble marquis, or to those hon. members, in a sincere attachment to the Protestant religion, or in a veneration for the Protestant constitution of this country; but he contended, that things could not remain as they were. That he looked upon to be wholly impossible. He could not blind himself to the circumstances that were passing before him: he could not blind himself to the distracted state of society in Ireland—to the utter depression of trade and commerce in that country—and to the cessation of social intercourse between man and man. Was it fit that that country should, in the year 1829, be kept in such a state of discontent and dissatisfaction? His majesty's government had witnessed the evil, and had wisely determined to remedy it. They had brought forward a bill which, in his opinion, was calculated to prevent the hourly-increasing danger. If he thought that it was likely to have any other effect, he would be most anxious to appear in the ranks of those hon. gentlemen who opposed the measure; but, believing that it would effect great and permanent good, he should support it. He would ask hon. members, whether they had fairly considered the danger to which Ireland was exposed? For his own part, he was surprised that the tranquillity of that country was so perfect as it had been. But, how was that tranquillity preserved? Why, the peace of Ireland was partly preserved by an unconstitutional authority, and partly by military force? Now, he would demand, whether such a state of things ought to be tolerated? He most sincerely hoped that this measure, conjointly with that introduced with it, would have the effect which was attributed to it—that of restoring Ireland to peace and prosperity.

Mr. *Pearse* observed that, after the many discussions which had taken place on this subject, he should not now have addressed the House, did he not think it the duty of every hon. member to state his opinion on this most important question. He was opposed to this measure; and he was quite convinced, that the great

majority of the people of England were decidedly hostile to it. He thought they had, in their petitions, stated their opinions firmly and honestly; and those opinions, however they might be contemned by other gentlemen, he was inclined to treat with deference and respect. Every exertion had been made, by bigotry and superstition, to retard the efforts of the people; but in vain, for a vast majority of the most influential persons in the country had expressed themselves strongly against this measure. He confessed that he entertained the same sentiments. He did not think that the bill would produce the peace and unanimity that were expected from it. It was displeasing to the Protestants, and he was convinced it would not satisfy the Catholics. He should have felt happy to have given his support to his majesty's government, if, after a thorough examination of the measure, he had conceived that it was likely to do good. But this was a vital question—a question which, when once carried, could not be retrieved: and, viewing it as likely to produce evil, instead of good, he should oppose the third reading of the bill.

Mr. *J. E. Denison* said, that on no former occasion had he offered himself to the notice of the House with so much pleasure. He rejoiced as greatly as any one could rejoice, at the triumph that was now about to be achieved. He rejoiced to find that religious differences were no longer to be considered as a ground for political disqualification. The measure seemed to him to have been proposed at a moment which peculiarly called for it. An hon. gentleman had just asserted, that the great body of the people of England were hostile to the bill—a position which, in his opinion, was not correct. He did not think that gentlemen had a right to rest their arguments so strongly as they had done, on the number of petitions which had been presented against this measure, when, on other occasions, when great numbers of petitions were laid before the House, they treated the representations contained in them with neglect. In saying this, he did not mean to detract, in any way, from the value of the right of petitioning. On the contrary, he was glad to see petitions laid before the House; because it shewed that those from whom they emanated placed confidence in the legislature. If, by admitting the Roman Catholics to be common partakers in

the rights and liberties of Englishmen, they produced a better state of moral feeling in Ireland—and such he believed would be the case—then, certainly, they would have effected a great object. He looked upon this question with intense interest. He viewed it as extending the great charter of liberty to Ireland; and he was certain, that innumerable benefits would be derived from it. He voted for the measure with the highest degree of pleasure and satisfaction. Some gentlemen might entertain fears as to the effects which it would produce. For his part, he did not participate in those fears. His firm conviction was, that the measure would be eminently serviceable to the whole empire.

Mr. *Hart Davis* said, he could not permit the important question then before the House to go through its last stage without the expression of his opinion on the bill in its present shape. He was compelled to say, that the securities for the preservation of the Protestant constitution of the country were not at all equivalent to the great sacrifice the House was about to make, by granting seats in parliament, and admission to the highest offices in the state, to persons professing the Roman Catholic religion. He allowed that the proposed alteration of the freeholders' qualification in Ireland from forty shillings to ten pounds, as intended by another bill, was a most beneficial measure, and, as far as it went, a good security against an abuse of power and influence by the Roman Catholic priest, in the manner evidenced at the late election of Clare. He entirely approved also of the change that had been made in the bill, by the transfer of all church patronage, which might attach to any office under the Crown hereafter to be filled by a Roman Catholic, to the archbishoprick of Canterbury. But he complained of the measure as wholly uncalled-for by the necessity of the case; and he considered it as totally useless, because it never could produce that union and concord in Ireland, which was expected from it, so long as the patronage of the Irish church was confined exclusively to Protestants. If he could be persuaded, that the bill would produce permanent conciliation between the conflicting parties in Ireland, he declared before God that it should have had his support; but, believing quite the contrary, it would meet with his decided ne-

gative. He would notice an observation of his gallant friend, the member for Liverpool, who had threatened the Secretary of State for the Home Department with the loss of his former supporters. But for this assertion, he would not have touched on this subject. He believed that his right hon. friend's conduct had been governed by a conscientious impression of the urgency of the question, and the conviction, that the great interests of the empire would suffer by its delay. With this impression deeply fixed in his mind, the right hon. Secretary would not have acted the part of an honest man, if he had pursued any other course. He deeply lamented this change, but the present ministers should have his confidence on every other question.

Mr. *Cust* pronounced a high eulogium upon the duke of Wellington and Mr. Secretary Peel, and said that, although he could not trust the latter with the conduct of the bill before them, he believed he had acted conscientiously. He believed so, because the right hon. gentleman had made sacrifices of ambition, of friends, and of connections, which could only have been made for conscience-sake. There were others who had changed their opinions, but who had not made the same sacrifices, and who continued to hold advantages which it appeared, by the result, they had obtained under false pretences. Bad as this was, it was nevertheless to be feared, that some who had changed would not only continue to hold the advantages so obtained, but would even get still higher office. It was said, that this bill was a remedy for the evils that pressed upon the country; but, could that be called a remedy which was an unmingled evil? The right hon. gentleman had said, that this was not a religious question; but for his part, he could not see how religion was, in this case, to be separated from politics. The danger to us, as it was a question of religion, was, that the spirit of the Roman Catholic church was such, that it would strive to extend itself and use its best endeavours to prevent the existence of any but its own creed; as, according to the notions of the Roman Catholics, there was no salvation out of the pale of their church. There could not therefore, in his opinion, be any distinction between the religion and the politics of the church of Rome. If he could make any distinction, it ought to be in favour

of the English Catholics, who were many of them men of property, but so scattered over the country, that they had acquired a portion of the milder spirit of the community with which they mixed. He had always thought their case hard, when he considered that they were debarred from rising in any of the pursuits open to their Protestant fellow-countrymen. The case was far different with the Catholics of Ireland; for they were numerous, ignorant, and bigottedly attached to their religion and priests. The present bill would not set the question at rest in Ireland; for it would not be for the interest of the church of Rome to let it rest, until she had accomplished the destruction of the Protestant establishment in that country.

Sir C. Burrell contended, that the tendency of the Catholic religion was to make its members bad subjects of a government. This, he said, was proved by history. It would be found that, in the time of Charles the 1st, the wise measures of the duke of Ormond were frustrated by the intrigues of the Nuncio Renuccini, and that even his violent claims were exceeded by those of the church of Rome: so also when, at the council of Kilkenny, the same nuncio recommended fidelity to God and religion, and, next, to the king, he was severely reprimanded through cardinal Pamphilus, for that the Holy See would never, by any positive act, approve the civil allegiance which Catholic subjects paid to an heretical prince. Thus it was, that the Roman Catholics were instigated and supported by the see of Rome against their legitimate government; an obedience to which was stigmatised as that idol of Dagon, a foolish loyalty. When, also, on the restoration of Charles the 2nd, some of the more moderate Catholics addressed, through one Peter Walsh, the remonstrance, in which they disclaimed "all foreign power, papal or princely, spiritual or temporal, inasmuch as it may seem able, or shall pretend, to free them from this obligation (meaning the allegiance), or permit them to offer any violence to his majesty's person or government; protesting further, and declaring it impious, and against the word of God, to maintain, that any private subject may kill his prince." Let the House inquire, Sir, how far the court of Rome approved, or acknowledged the propriety and justice of these sentiments. The court of Rome gave orders to the Internuncio at Brussels, who had then the

care of Ecclesiastical affairs in Ireland, and to cardinal Barberini, "to censure the remonstrance, in the name of the Pope, as containing propositions already condemned by the Holy See." In consequence, the remonstrants, we are told, "were persecuted, and every where dispossessed of their cures and stations; and Peter Walsh and his associates were excommunicated, and left without the means of preserving their lives, except by flying to foreign countries, where they were in danger of being burnt alive as heretics for denying the power (of the Pope in temporal affairs." He would ask, what security there could be against this persecuting spirit, except the security of the law? The present law had prevented persecution, both on the part of the Protestants and on the part of the Catholics. The present law had worked well: it had preserved our civil, our religious, and our political liberties; and yet they were now called upon to throw it away. He was decidedly opposed to the proposition, because he believed it would be productive of great mischief. If he should be deceived, and if the measure did good, no one would rejoice more than he should.

Several honourable members rose together, but the call was general for

Mr. William Bankes, who said, that this then was the bill which, after all, they were called upon to pass! It was a matter of regret to him, that circumstances had rendered him incompetent to raise his voice against it at an earlier period. Unavailing as opposition to the bill had hitherto been, and unavailing as he was persuaded all future opposition to it would be, still he could have wished that his hearty, his uncompromising, and his decided dissent had been recorded in every stage, and against all the provisions of it. He candidly confessed, that he felt it a painful duty to be compelled to oppose and to obstruct, so far as in him lay, a measure which was supported by that great man who was then at the head of the administration. He did not call him great on account of his office or his power, but on account of his great military achievements; and for these, surely, if any man ever deserved the name of great, the individual to whom he alluded was that man. He, and he might say, the whole civilized world, had been lost in wonder at the splendid success which had marked that great man's career, and he would yield to

no one in admiration at the glory and the security with which he had surrounded them. As a private individual, too, he had known the noble duke in his retirement, and had been honoured with some portion of his kindness and attention; but here he was a public man, and here he felt himself called upon by his duty, and by his country, fearlessly to offer his uncompromising and unhesitating opposition to a measure, though recommended by a person for whom he had so high an esteem. He was sorry to say, that there was one ground on which he, and gentlemen who held the same opinions with himself, had great reason to complain. They had been much worse treated by their friends than by their enemies. On every former occasion they might have had better terms than they had now. On other occasions there had been some show, some shadow, at least, of substantial, tangible securities. There had been some talk of interference with the hierarchy, or of something which should calm the reasonable and just apprehensions of the Protestants; but here there was positively nothing of the sort: it was plain, unqualified, unconditional surrender. They had heard it argued, that this bill was not the offspring of intimidation. Why, if he had never heard of what was passing in Ireland—if he had known nothing of the Catholic Association in its acts, in its speeches, in its publications, in its menaces—if the name of Mr. O'Connell had never sounded in his ears, still he should have known that it was the offspring of intimidation, for he saw "panic" written in the very face of it. What were the ordinary signs and symbols of intimidation? Giving up all—throwing away every thing—looking neither to the right hand nor to the left, but hurrying and precipitating forward. Was not this bill a casting-off, an abandonment, a surrender of every thing? Had it not been pushed forward with so much precipitation, that, when one law officer was gone, time was not allowed even for the appointment of another, or for sending the one that remained back to his constituents with "all his blushing honours thick upon him," to receive at their hands the recompense which, he doubted not, awaited him? Such had been the course pursued.—One of the strongest circumstances connected with this measure was, the manner of its introduction. How had it been introduced?

Why, with a protest against it by the highest legal authority in that House. And it had been carried to its last stage without an Attorney-general. Was there no need of any legal adviser? Why, any architect was competent to pull down an edifice; any man could conduct a work like this, which was the mere ruin and overthrow of laws, without substituting any others in their room. What kind of substitution was this bill? Ask the poor Protestant freeholder: his condition presented a just picture of the state in which the Protestants were now placed. He had been deprived of his franchise; he had been compelled to surrender his rights; and, in return for this, an advantage was given not to him, but to a church to which he was opposed, and which hungered and thirsted after the benefices of the church to which he was warmly attached. This was the picture of our condition.—But, it was said, all this must be done for Ireland, and all those gentlemen who agreed with him had been accused of dwelling too little upon that point. He should like to know how they could dwell upon it at all? Who had given them any information on the subject? Who had laid any documents before them, from which they could form an opinion on the state of Ireland? It was true, that in the Speech from the Throne, at the beginning of the session, they had been recommended to take into their deliberate consideration the whole condition of Ireland; but it was equally true, that they had had no opportunity of considering it at all.—What information had been produced, but a few solemn notes and asseverations, from the right hon. the Secretary of State? And the House had been called upon to rest satisfied with a few garbled extracts from letters, which had not been laid on the table of the House, but merely read in support of an argument. Such was the only information which had been produced, and on which the House was to proceed. And what was the result? It must be candidly confessed, that the situation of Ireland was unsettled. No man could deny that it was so; but within his memory, and within the memory of the right hon. Secretary, the situation of Ireland had never been otherwise [eries of hear]. He was glad to hear that cheer, because it looked as if gentlemen were going to grant that argument which he must ask of them. Had any fresh

case of gross aggravation occurred in Ireland? He argued from the cheer that there had; and he would ask the hon. gentlemen opposite, who had brought the present measure forward, to whom were owing these fresh symptoms of danger? Had they not been told by the first officer of the Crown, that the common-law of the land was sufficient to put down a dangerous Association which had existed in Ireland? Had they not been told that? Had they not, moreover, been armed with fresh, and great, and extraordinary powers, for the purpose of putting that Association down; and, armed with a two-edged sword how had they used it? They had let it idly slumber in the scabbard. The Association had gone on gathering strength every day. They met, debated, and multiplied, until they became at last the governors of that kingdom; and now ministers came down to the House, and turned upon them, and produced that as an argument for agreeing to this measure, and as a cloak for their own apostacy.—He would now look at the provisions of the bill, and see if any crumbs of comfort could be gathered from it. In the first place, he found that the prime minister of the king might be a Roman Catholic; but it must comfort honourable gentlemen to learn, that a Catholic prime minister was prevented by this bill, from advising his majesty on any thing touching the disposal of ecclesiastical patronage. That enactment, doubtless, sounded extremely well; but supposing that he were to make use of that solitary access to his sovereign, to which he was entitled by his situation, to counsel his majesty respecting the disposal of church patronage, who was to reveal that he had done so? Would it be his majesty who had listened to such advice, or the minister himself, the adviser? He could not see of what avail such provisions would be; and he looked upon them in no other light than as a mockery. Further on in the bill there was an enactment respecting the Jesuits, which appeared to him to be of just as much value. It was known by many gentlemen in that House, that that dangerous set of men had instituted several establishments in this kingdom, and that they were increasing in various parts of the country. That body had been proscribed, denounced and banished, at one time or other, from every Catholic and Protestant state in Europe; and yet

this conciliatory bill, which was to pay such great attention to the just fears and jealousies of the Protestants; it was naturally supposed, would cause the abolition of that sect in this country. No such thing. That body were to continue giving their instructions to the people; they were to remain in the country; and the only comfort afforded to the Protestants was, that the bill afforded the means of making known to them the extent of the danger, by causing the names of the Jesuits to be registered in black and white.—There was also a clause, by which the Secretary of State for the Home Department might allow the landing in this country of any Jesuit friend of his, with whom he wished to consult for six months. He thought that, in the present enlightened times, when the principles of free trade were so much in vogue, that the clause was likely to be extended; but he would venture to say, that a day would come when no importation of foreign Jesuits would be wanted. He thought a day might arrive, and at no distant time, when there might appear a Jesuit in the State as well as in the Church—one, who was bound to no orders, who was tied by no vows, and subject, alas! to no registration. Such a Jesuit, he could fancy, at some future time, in the capacity of minister, coming down to that House and saying, “I have not altered my opinion, but I will go directly contrary to that opinion. I do see danger in the course I am pursuing, plainly, and obviously; but I will run directly on it. I do see the necessity for securities, but I will give you none. I do not deny that there is evil in what I propose; but I do evil that good may come of it.”—

“Who would not laugh, if such a man there be? Who would not weep, if Atticus were he?”

It had been said, that recent events had tended materially to lower public confidence in public men. He fully admitted that position, though he felt deep regret at being obliged to do so. He had said, in the outset of the few observations which he had made, that it was with pain that he differed from many honourable gentlemen who composed his majesty's government, and he must now say, with equal sincerity and regret, that it grieved him to be obliged to condemn their conduct. They had stolen upon us in the night, and thrown a fire-brand into the body

of the church. But let not gentlemen suppose that it was a smouldering flame: it would unfortunately soon extend to the rafters and the roof, and leave the building a black and empty ruin. They had not the excuse of ignorance for this: they had done it cunningly and craftily; for they had done it advisedly.

He did not think that the consequences which he had described as about to follow the present measure would be remote. The first blow would be struck at the Church of Ireland. That church had already been assailed in that House; the point of the wedge had entered into it, and the strength of a hundred united and hearty hands would drive that wedge home [a laugh]. Some honourable gentlemen might think this a subject for laughter; but he thought it a subject for deep regret and sorrow. The attack on the Church of Ireland might probably be grounded on the difference between the members belonging to that church and to the Church of England; but though such difference did exist, it should be recollected that, with respect to the tenure of church property, both churches were equal. He who assailed the one, assailed the other; and if the Church in Ireland was destroyed, the Church in England would not long survive.

The *Solicitor-general* said, he was glad that the hon. member who had just sat down had taken the bill before the House in his hand and made a running commentary upon it, because it afforded him an opportunity of explaining to the House the different parts of the bill in question, and showing that, in connexion with other securities which had before come under the consideration of the House, it afforded sufficient security to the church establishment of these realms. He felt no doubt that he should make out that point to the satisfaction of every intelligent and reasonable man. Let him tell that hon. member, that with respect to a circumstance of which he knew nothing himself, but which had been hinted at;—namely, that he might have an opportunity of meeting that hon. member in another place,—let him tell that hon. member, that nothing would give him greater pleasure. Before he called the attention of the House to the bill, he wished to address an observation to an hon. and learned friend of his, who, he lamented, was no longer his colleague.

He thought that that hon. and learned member was mistaken in his view of the case, when he stated, that a conscientious scruple, on the score of the oath of office which he had taken, prevented him from giving his assistance to the drawing-up of the bill. He could assure the House, that that oath had no bearing at all on the question. The oath, which was in substance the same as the one taken by himself, directed that the party who took it should duly and truly serve the king, and give him good counsel in his courts of record, in that part of Great Britain called England, and that he should well and truly counsel the king in all matters when called upon. He would not remark on the first part of the oath, as it had no reference to the subject; and with respect to the second part he put it to the House, whether that person did not give true advice to his sovereign, who, convinced of the necessity and propriety of any measure, counselled its adoption? After hearing all that had been advanced, both from one side of the House and from the other, it was his thorough conviction, that the course which the government was now pursuing was the only one which would save the Protestant constitution. He certainly did marvel that this extraordinary acute notion of the oath of office should first attach to his hon. and learned friend. In 1791, an act was passed in this country, which emancipated the Catholics to an extent unheard-of before, which removed from them many of the disabilities under which they laboured, and gave them that power which they possessed at the present day. Another act was passed in Ireland in 1793, which gave the Catholics still further power, because it gave them the elective franchise. Now he wondered that the mind of his late hon. and learned colleague had been the first to be struck by the extraordinary obligation of the oath of office, because he found that, in the year 1791, when the first of those two measures was carried, sir John Scott (the present lord Eldon) who was attorney-general, had not such an acute notion of the obligation of the oath in question. Again in 1793, when the second measure was carried, sir John Mitford was solicitor-general, and he never saw the extreme pungency of this oath. I now come (continued the *Solicitor-general*), and I do so with great satisfaction, to the real state of the question before the House. And I beg to

assure hon. members, that I have, throughout the debate, listened with the most anxious attention, in order to hear whether any remedy short of that proposed by ministers was to be suggested for the evils admitted on all hands to exist. But when hon. members who opposed the bill were called upon to point out any such remedy, they were all silent as death: not one of them have we seen coming forward to suggest a measure short of that introduced by his majesty's government. I do not wish to use harsh expressions; but I cannot help observing, that the honourable member appears to entertain a puny and miserable opinion of the Protestant church when he supposed that it could, in the present day, be overturned or infringed upon by the Roman Catholic religion. Why, Sir, one chief object in framing this bill was so to word it that there should not be even a mention of the existence of the Roman Catholic religion in England; pains had been taken so to word it, that not an individual could point a finger at any expression by which such an admission was made. It was held that you could not call for a Veto, or propose a stipend for the Catholic clergy, without an admission of their religion, and the existence of the Roman Catholic church. The fact is that by this bill Roman Catholics are placed on the same footing with Protestant Dissenters. They are relieved from their disabilities, with certain exceptions; but there is to be no acknowledgment of the existence of their church.—There is yet another ground upon which I feel bound to support the bill. There is, it must be observed, a vast difference between the Roman Catholic clergy and the laity. The latter are as I have already said, placed on a footing with their Protestant brethren, with certain restrictions, while the former are excluded from all offices of place or power. This, indeed, was done by the Act of Settlement. But, notwithstanding this, the Roman Catholic church of Ireland has gone on *pari passu* with the Protestant church, in the appointment of its ecclesiastical functionaries. Wherever a Protestant bishop has been appointed there has also been appointed a Catholic bishop, where a Protestant dean is stationed, there is also to be found a Catholic dean and so on. But it is to be observed, that the Protestant divines only are appointed by the Crown, and have in law a right to that title. [The hon. and

learned member here made some observations about the 'Securities,' but the noise in the House was so great as to render him for a time inaudible in the gallery]. But I will ask what further securities are required? You have two bills passing through parliament with this measure of relief; I mean the Catholic Association bill, and the Forty-shilling Freeholders' Disfranchisement bill, both of which are moving, *pari passu*, with it. Now, I will put it to the House, whether such measures as these could be carried, could be proposed, without being accompanied with some measure of concession? There is not in this House any man more anxious than I am to continue exclusion, if I could see how it was to be done with safety; but I cannot risk the peace of Ireland—I cannot risk the safety of the Irish established church—by any longer withholding a measure calculated to secure both. We are told that we ought to consult the history of former times. Let us see how that history stands. In 1678 we had upon the throne a monarch who was a concealed, and the heir presumptive to the throne was an avowed, Roman Catholic. Now, I will ask what similarity there is between the year 1678 and the present period? Our present sovereign is as firmly, as decidedly, attached to the Protestant establishment, in church and state, as it is possible for man to be. The heir presumptive is as strongly imbued with the same feelings and principles. Where, then, I ask, is the comparison between the two periods? Besides, in 1678 there was a House of Lords consisting of a hundred and twenty peers, of whom at least sixty were Roman Catholics. Now, you cannot, under the proposed bill, have more than eight or nine Roman Catholic peers in the House of Lords. And then with respect to the House of Commons, we may rest assured that the pope has no longer any power, either to influence persons in this country, or to hold sway in any other courts in Europe.—But, after all, leaving the other parts of the question, I must observe, that there is a difference between the Protestant establishment and the Protestant faith. The Protestant establishment consists of the bishops, clergy, the form of prayer—or, to use another word, the national establishment, as it is generally understood. Let me ask, then, upon what does the security of that establishment rest?—why assuredly, the security of

the property of that establishment rests upon the law of the land, in the same way that the property of the laity rests. Who, in the present day, pretends to deny the right of the clergyman to his tithes? Who will venture to deny the right of the spiritual peer to hold his seat in parliament upon the same right that it is held by a temporal peer? The spiritual peer, if questioned, would say, "I hold my seat as a peer, upon the same terms that you do yours. I sit here as bishops before me did, upon the same right that you follow your father or grandfather created a peer." Indeed, this doctrine was so well known, and of such long standing as a part of the common law, that when Henry the 8th, on the suppression of the monasteries, appointed the five new bishops, not a single word was said about their taking their seats as spiritual peers, that being understood as a matter of course, in virtue of their office. I shall now, with the leave of the House, say a word or two with respect to the Protestant faith; and I must observe that the hon. gentleman opposite must entertain but a mean opinion of that faith, or he would never express his apprehensions, that inroads would be made upon it by the Roman Catholic religion. Any one who heard the hon. member's speech would be led to suppose, that the moment this measure was passed, the Roman Catholics would upset the church establishment, and burn our churches in one common conflagration. Sir, I am almost tempted to say that such apprehensions are ridiculous. I am inclined to rely more upon the purity and morality of our Protestant faith, the excellency of its doctrines, and the mildness and forbearance with which they were inculcated, to dread for a moment any inroads on the part of Roman Catholics. It should be remembered that when we had a Protestant monarch, and when the great majority of the people were Catholics, the Protestant reformed religion made its way; it went on silently and gradually to be sure, but still it did progress, and ultimately with the most complete success. How, then, can any man, at the present day, apprehend that that religion will be destroyed, or in any way invaded by the Roman Catholics, merely because some few of them may sit in the one or the other House of parliament? Are we to attach no importance to the zeal, the piety, and the purity of principle of our Protestant clergy?

Are we to place no confidence in the earnestness with which they inculcate the sacred doctrine handed down to them? Let us look to what was done by Ridley and Latimer, immediately after the Reformation. But, above all, let us look to Parker, Whitgift, and Bancroft, who were heads of houses, and founders of those schools in the University which I have the honour of representing. Can we, I say, looking at the example set by these great men, fear any inroads from the accession of a few Roman Catholics to seats in either House? But, if any doubts prevail on the subject, I beg to observe that there is an express provision against Catholics being allowed to preside as heads of schools. I am particularly anxious to relieve the hon. member from that paroxysm of alarm under which he concluded his speech. The hon. member had conjured up so many grounds of alarm that he appeared to apprehend their coming upon him, before he could make his escape from the House. But there exist no grounds for such alarm; the scriptures are abroad; the spread of knowledge is increased, and, as upon inquiry, truth must prevail against falsehood, so must Protestantism prevail against the doctrines of the Roman Catholic church. Of this all men must be sensible, nor can they be less aware, that there is no danger to the Protestant interests from the apparent disunion of the Protestants themselves. They do not differ as to the value of Protestant institutions; but the difference between Protestants in this House and Protestants out of the House, and among each other, is in the balance of opinion on the question whether civil rights can or cannot be safely communicated to their Roman Catholic fellow-subjects. Those who think that such rights can be safely communicated to the Roman Catholics, are not opposed to the Protestant institutions of the country, but are as much inclined as others to support them; and when once this bill has passed, nothing will prevent them from making common cause with their Protestant brethren, in the event of any attempt against the safety of those Institutions. This legislation declares to the Catholic, "so far shall you go, and no farther; if you once attempt to transgress these bounds, you will find that we are all on one side." I think this difference, the only one that exists among the Protestants, is the real foundation of our security, and

that difference will totally cease, the moment there is any show of attempting an abuse of the power we concede to the Catholics. If I believed that these concessions would in the slightest degree, weaken the Protestant faith—in which I thank God I have been educated, which in my manhood and maturer age has been my comfort, in which I hope to die, for which some of my forefathers have suffered—I should be the last person to advocate the change. It is because I felt well assured that without this measure the Irish Church would fall, and that the English Church was in danger, that I gave my humble assistance in bringing forward this measure. It was on these grounds that I at first gave it my concurrence, and that I shall continue to support it to the end.

Sir Charles Wetherell said:—Sir, the noble lord whom I have now the pleasure of seeing opposite to me, called on me to address the House on a former occasion, on the ground that I was—to use his complimentary phrase—the first law authority in the House, or, in other words, the king's attorney-general; and now my hon. and learned friend, my late colleague in office, calls on me to address the House because I am not attorney-general. On the former occasion, I answered the noble lord's call as well as my poor abilities would allow; and I shall now endeavour to answer the somewhat discrepant and contradictory challenge of my hon. and learned friend, my late estimable colleague. The noble lord called on me, as the first existing law authority in the House, to maintain the proposition, that the exclusion of Catholicity was adopted as a principle of the Revolution. I entered the tilting-match to which I had been challenged by the noble lord—with what success I shall not now say. And my hon. and learned late colleague has challenged me to another tilting-match with him on the question, whether I do not entertain doubts of my construction of the oath which I took as attorney-general? This is the question on which my hon. and learned friend has challenged me to break a lance with him. On the former occasion, I said, that before I could consent to become the penman who would draw up this bill, or the legal officer who would sanction it, or the member of parliament who would support it in this House, I had attentively and anxiously read over my oath of office as attorney-general. I then said, that the lord chan-

cellor had his oath too, and, as I have dilated on that with some force on a former occasion, I shall make no further allusion to it on this. My hon. and learned friend has told us that that was a pungent oath. I too, say, that it is a pungent oath, and that it is of a nature so stringent, that it ought to press and restrict the conscience of the officer whom it professes to bind. My hon. and learned friend, or perhaps I should say my right hon. friend, as it is possible that he may be at present, *jure suo*, the existing first law authority, as I am not—my hon. and learned friend has been pleased to express his regret, that I am not joined with him in sanctioning this measure. I can assure my hon. and learned friend, that I, too, am extremely sorry I have not the pleasure to act with him on this occasion. I assure him that my feeling of regret towards him is reciprocal; and, from the high honour and talents of my learned friend, I most sincerely lament, that I cannot act in conjunction with my late estimable colleague in relation to this measure. But, whether as the existing first law authority in the House, or as the challenged opponent of my late hon. colleague, I must declare the utter impossibility of my concurring with his sentiments on the bill before the House. And, first, as to my hon. and learned friend's construction of the duties imposed on an attorney-general by his oath of office. My hon. and learned friend has said, that the attorney-general is bound by his official oath to give his attention to the care and superintendence of the king's interest in the Court of Exchequer and other courts of record, to enforce the execution of the laws, and to protect the property of the Crown, in all cases where it may be affected by the result of proceedings at law. This, doubtless, is the duty of the attorney-general, but this is not all; it is, in fact, but a branch of his duty. I say that the oath of the attorney-general—and I challenge any man to dispute my assertion—comprehends more, much more. The oath of an attorney-general is as large and ample in its obligation, as the oath taken by a privy councillor. I say it is as large and ample in its obligations to give just advice to the Crown, as the oath of the lord chancellor, and as strong and restrictive in such obligations; and I repeat that, consistently with that oath, I could not conscientiously concur in drawing up a bill which I was bound by my oath to advise his majesty

not to sanction—a bill calculated to subvert those Protestant institutions which I was bound by my oath not to assail, and which his majesty was bound by his oath not to assail.

In answer to the challenge of my hon. and learned friend I must tell him, that I should consider I was putting the monarch in jeopardy if I advised him to give his assent to a bill, the tendency of which is to destroy the Protestant part of the constitution—which constitution he is bound by his Coronation Oath to defend and protect [loud cheers]. Sir, I have risen to answer my hon. and learned friend's challenge with much reluctance. I speak under the influence of severe ill health; nor would I have addressed the House at all on this occasion, had I not been called into the field by my late estimable colleague; for, as I said on a former night, no pain I ever experienced, or ever can experience, could be more severe than that which I felt at the necessity of separating from those hon. friends with whom I have so long acted, and to whom I am now opposed by a principle of constitutional antipathy, not a feeling of personal hostility. Personal feeling, personal imputation, I disclaim. I impute personal hostility to no hon. gentleman. I allow that whoever is of opinion, that the king is not bound by his Coronation Oath to maintain unaltered, in their present condition, the principles of this Protestant state, the rights and privileges of the bishops, and of the churches under their care, is justified in giving his support to the present bill; but while I admit so far, I must claim for myself and for those hon. friends who think that his majesty is bound by his oath to maintain those institutions, rights, and privileges. I say all persons who are of that opinion are compelled to oppose a bill which goes to subvert the Protestant principles of the constitution, laid down and adopted as essential parts of the Revolution of 1688. I repeat, then, that consistently with my construction of the obligations of the oath of attorney-general, I am bound to give my decided opposition to the bill. As to the matter of dispute between my hon. and learned friend and my hon. friend the late member for Cambridge, I shall not interfere with it. I shall leave it between them. Nor shall I declare any opinion on the question, how far the government was called on to give the university of Cambridge an opportunity of declaring their

opinions on the respective merits of my late hon. colleague and my hon. friend, the late member for Cambridge, or which of the two hon. gentlemen would be the more adequate and fit representative for that university. Nor shall I attempt, whether consulted as the late or existing first law authority, to explain why this measure has been urged forward through parliament with such violent haste, with such unbridled rapidity, on the part of its supporters, that they cannot wait until they obtain the support of that university for their favourite measure; and that too, after another learned university had declared its decided opposition to it [cheers]. Sir, I do not quarrel with any gentleman for supporting this bill, who draws a construction from it different from that which I do; who is of opinion, that it does not aim a blow at our church establishment, nor threaten injury and subversion to our Protestant constitution. Sir, such a man, so sincerely believing the innocuous nature of this bill, I do not blame; but, while I make that concession to the supporters of the bill, I may express an humble hope, that I shall not be challenged by them from holding a different opinion from theirs. I trust I shall hear no more on the constructions of these oaths alluded to.

Sir, my hon. and learned friend has thought fit to make an attack upon me, because I comply with the dictates of what he calls a too tender conscience in opposing, in the year 1829, a measure sanctioned in 1791 and 1793, by official persons not so sensitive in their conscientious feelings relative to their official oath as I have shown myself to be. Such, he says, were lord Redesdale and lord Eldon. Sir, before I reply to this personal argument, I beg leave to tell my hon. and learned friend, that I do not know that any man has a right to set up as a guide for my conduct any such moral standard. I will not recognise any such personal measure of my conscientious feeling. I will not surrender or submit my political principles or moral feelings to the guidance of any man, however high his authority. But really I must say, that it is too hard that I should be accused of dealing in badinage—of having acted with a morbid delicacy of morals—a trifling sensibility of conscience—in putting my construction on the obligation of my oath of office, after such and such official authorities had felt, and acted in a far different way in the year

1791. But, did lord Redesdale and lord Eldon act in 1791 as my hon. and learned friend would have me act now in relation to this measure of 1829? Did those noble and learned lords, when in office, give their consent in 1791 to a bill such as the present—to a bill throwing open the parliament and the great offices of state to the Roman Catholics? I say, no. They did no such thing. But what did they do? Why, lord Redesdale brought in a bill relieving the Roman Catholics from the penalties to which they were liable for not going to church service, and for acquiring property above a given amount. It was a relaxation of the penal inflictions to which a Catholic was liable by the law of the land. But, did they in that bill of relief from penalties concede political power? I say, no; they only relaxed the penal securities that had been exacted at the time of the Revolution, and lasted up to that period of 1791. If my hon. and learned friend, then, will say, that the then sir John Mitford, in drawing up that bill, or that the then sir John Scott, in supporting it, acted inconsistently with their opposition to the present measure of 1829, I will take the liberty of telling my late learned colleague that he is decidedly wrong, and that he cannot have read the bill on the table of the House; and, as to the alleged over-tenderness of my conscience in regard to the oath of office, I contend, that I am borne out by the conduct and opinions of those very noble and learned lords whose authority has been quoted against me.

Now, Sir, for the bill itself; and here I have to complain that we have had no explanation of it whatsoever by any of its supporters. No explanation of its bearings has been given by the right hon. Secretary, either on his opening of the measure, nor in its progress through the committee. In fact, up to the present moment, no man knows what it is. Even my late learned colleague has not adverted to a single clause of it, except, indeed, that relative to the Catholic titular sees of Ireland. Now, I will explain the bill. I will do that, though not in office, which my hon. and learned friend, though in office, has omitted to do. The bill professes to tell us, that the whole of the civil, the whole of the judicial, departments of state are to be thrown open to the Catholics, with the exception of the office of chief governor of Ireland and the two seals. In these civil and judicial appointments are included

competency to ministerial office and competency to parliament. I do not know whether the bill is meant to convey securities or not. The bill is said to have been framed for the purpose of being satisfactory to all parties; but to one party, namely, the Protestants, it cannot give satisfaction, unless it affords protection to the church in the shape of securities. Now, the subject of securities has been much talked about in the House and without it too—in particular by a clerical opponent of emancipation, in a pamphlet published in the time of the late Mr. Canning—a publication displaying great power and acuteness of argument, though containing too much wormwood and camomile mixed up with it. However, that reverend doctor proved the necessity of securities with very able reasoning. Is the bill framed on that principle? No, Sir. One of the securities insisted on in the publication to which I allude was a control, on the part of the Crown, over the appointment of Roman Catholic bishops in Ireland. Another security was a power of interfering with, and restricting the correspondence between the Catholic bishops and the see of Rome. But are those securities in the bill on the table? No, Sir. They have been omitted lest, forsooth, says the right hon. the home Secretary, they may not be satisfactory to the Roman Catholics, and also that we may not involve ourselves in the awkward fact of recognizing the Roman Catholic church. Thus, the omission of the House interfering with the communication between the Catholic bishops and the see of Rome has been resolved on, in order to avoid breaking up the union existing between the supporters of the measure, and lest government may seem to imply a want of confidence in the Catholics—an imputation (so says the right hon. gentleman) calculated to excite irritation among them; and, finally, that, when we are conferring power, we ought not at that moment display any distrust of those on whom we are conferring it. These are the reasons given by the right hon. gentleman, and on these the securities have been altogether abandoned. But, then, it is said, the oath to be taken by the Roman Catholics on coming into office is a security; and it is argued, that on entering office the Catholic must take the new oath or the old one, and that nobody but a Catholic will take the new one. But the oath does not call on him

to say that he is a Catholic. The right honourable gentleman has omitted that obligation; and how do I know what is his religion, or whether he is a Roman Catholic, unless he declares on oath what his religion is? I repeat, when a man is about to enter an office, suppose of privy councillor, or in the cabinet—an office in which he may have an opportunity of using influence over the distribution of church patronage—I say, how do you know whether he is a Roman Catholic or not unless he declares so by his oath—unless he is compelled by the oath to say whether or not he is a Roman Catholic? I say, in the present form of the oath you have no means of knowing it. And yet this oath is called a protective oath to prevent the Roman Catholics from offering injury to the church!

Now, Sir, I would wish that some senior optime from Oxford, or some senior wrangler from Cambridge, would explain how this bill is to bind a Roman Catholic in his legislative capacity, in the discharge of his parliamentary duties. Sir, there are hon. members in this House, and Protestants too—such as an honourable member, who must be absent from his place on this night through indisposition alone—I mean the hon. member for Montrose—who think that the revenue of the church is national property; that it may be dealt with as a state fund to be distributed by parliament, as parliament shall think proper; in short, as a sort of strong box or till, into which the minister may put his hand whenever the public necessities require it. There are other hon. members, too, such as the hon. member for Colchester, who think—what that hon. member candidly acknowledged—that the property of the church was an incumbrance to her, and that the sooner she was disburthened of it the purer she would become as a religion. Now, suppose the hon. member for Colchester to rise and move the appropriation of the church property to other than their present objects, and the hon. member for Montrose to second that motion—do you mean to tell me the Catholic would be acting against his parliamentary oath, if he sanctioned such a measure, so moved and seconded by Protestants, and probably supported, too, by sixty or seventy other Protestants in this House? Would the Catholic be restricted from supporting that vote by the oath in the bill? Answer

that. Let the casuists from Oxford or Cambridge answer that, if they can. I was asked a question; I answered it; and now, in my turn, I ask, I invite, I challenge, any man in the House to stand up in his place, and answer my question. I ask, do you or do you not, when you give the Roman Catholic legislative power, restrain and restrict him from acting in his legislative capacity as he pleases? Satisfy me that the Roman Catholic, when admitted by this bill into parliament, will be restricted and shackled as to his power to injure the church establishment, and that the Protestant will still remain free to vote according to his conscience; do that, and I will instantly concede, that you will have taken the poison out of the measure under your consideration. But if you will leave to the Roman Catholics this legislative power to injure the Protestant institutions of the state; then, I say, I can never believe any man who tells me, that there is no danger to the church in the admission of Roman Catholics into parliament.

In giving this explanation of the bill, I do merely what my late learned colleague should have done, but has not. In fact, in my present situation, I am obliged (so to speak) to take up the heel-taps of my learned friend the solicitor-general. I have said, and proved too, that any man may be, after this bill passes, a privy-councillor, or cabinet minister, without your knowing that he is a Catholic unless the oath shall compel him to declare that he is one. But, supposing that the oath compel him to state his religion, and that he declares he is a Roman Catholic, then imagine him a minister. Now, it is well known that there is nobody present to witness the recommendations made by a minister to the king in relation to the distribution of offices in the church. Now, a Roman Catholic minister may attempt to use his influence with the king, in recommending to appointments in the church; and who, I ask, is to know, or to be able to prove, that Catholic minister's violation of the law? "But," exclaims the right hon. gentleman, "when a Catholic minister fills an office connected with appointments in the church, the right of recommendation will fall to the home Secretary!" But, I say to the right hon. gentleman in rejoinder, supposing the home Secretary too to be a Catholic, who will watch him? *Quis custodiet ipsos custodes.* If the key

of the box that holds church patronage is locked up in a larger box, who is to keep the key of the larger one? The right hon. gentleman will here exclaim, that it is improbable, almost impossible, that a man should get into office capable of bringing the church into such danger. Sir, I do not say that we shall, or indeed can, witness every day, a man who can be the champion of a cause one day, and a traitor to it the next, or who can oppose a measure in one year, and in one official character, and support it in another year, and when filling another situation; or a man who can write a book in favour of a particular measure of securities one time, and give his academical vote against his former opinions at another period. Sir, I do not say, I will not imagine, for the honour of human nature, that such characters can often exist, or be found possessing power in the state; but, take the case of a home secretary abandoning his constitutional principles for the sake of cabinet connections,—or suppose him borne along against his better nature, by the favour of a body of men with whom he is in habits of official communication, or, what may be as germane to the matter, suppose him a personal friend to a Catholic prime minister, hostile to the establishment, and attached to him, and disposed, by some sympathetic principle, to co-operate with him in his projects, what security against these projects has the church in such a home secretary? What security, what protection, does this bill afford to the Protestant constitution against the machinations of such a home secretary? I say none—none in the world. There is no protection in the bill—in the matter of security for the church it is mere waste paper, it may be useful in wrapping up cheese and butter—you may send it into the streets as a package, or, as the poet has it,

—“In vicum vendentem thus et odoris,

Et piper, et quicquid chartis amicitur ineptis.”

I repeat, the bill may be sent as a covering for butter and cheese, to those repositories of various and diversified commodities, denominated in the vulgar tongue, shops of green-grocers; but for any legislative or protective purpose, it is an utter waste of print, ink, and paper.

I do not know whether the right hon. and learned member for Knaresborough is

in the House [sir J. Mackintosh bowed] I did not know it. I am happy to see him, and I put it to him, what he would think of having the archbishop of Canterbury regulate all the appointments of the Presbyterian church in Scotland [“hear, hear, hear,” from sir J. Mackintosh]. The right hon. and learned member says, “hear, hear.” I say, “hear, hear,” also; but I call upon him to do something more than cry “hear, hear.” I call upon him to answer me if he can. The commission—that farce too bad for Sadler’s Wells—is taken out of the bill; even the framers were ashamed of it, and the power which was to have been given to that commission is transferred to the archbishop of Canterbury. Maintainer as I am of the church, its defender, and the would-be preserver of it, in all its rights, I should pause before I conferred even on a Protestant archbishop of Canterbury, such an extensive patronage, when the prime minister is a Roman Catholic. I put it to any man, whether these numerous powers ought to be concentrated in any one individual? [“hear, hear,” from sir J. Mackintosh]. No doubt the right hon. member has a most learned argument *in petto*; we shall hear his answer by and by; my argument is what I have stated, and, *meo periculo*, I give it, at the risk of all the cutting-up with which he threatens me. The effect of the bill is to incapacitate a Roman Catholic, as to the patronage of the church, and to capacitate him as to the whole government of the country. The bill says, that the preferments to which a Catholic prime minister would have a right to nominate, shall be vested in the archbishop of Canterbury; but I contend, that the prime minister has no right of nomination at all: he can only recommend to the Crown, and I assert, as a lawyer, whether in office or out of office, that this bill would not prevent a Roman Catholic prime minister, from recommending the mode in which ecclesiastical appointments should be filled up, because the nomination is not in the prime minister, but in the Crown. Therefore, in this respect, the measure is inoperative; and while a prime minister is incapable of being convicted of the high misdemeanor of which it talks, and the penalty recovered, he may recommend to the king any mode he thinks fit, of filling up the highest vacancies in our Protestant church.

On a former occasion I asserted, and I

again assert, that the bill, in its liberality of giving, and its stinginess of retaining—in its lavishness of confidence, and its penalty of security—has given away all ecclesiastical preferments with a few miserable exceptions. I do not mean to say, that it does not secure the two Universities, and the schools of Eton, Westminster, and Winchester. No Catholic minister shall directly pervert those to the purpose of advancing his faith and principles; but let me ask any lawyer who hears me, what is the meaning of the words “ecclesiastical establishments?” I do not ask the framer of the bill, for I am afraid he could not answer me without violating the good humour I wish to see preserved; and I will suppose, that it was put together, compounded, concocted, but certainly not digested, by some anonymous penman. What are ecclesiastical establishments? Does it mean, that schools founded by clergymen are such? If so, nine-tenths of the schools in the kingdom are not ecclesiastical establishments; and how comes it, that in the list of public schools, the Charter-house is not included; of which, by virtue of office, some of the right hon. gentleman’s colleagues are governors? Merchant Tailors’ is also a lay foundation, and Harrow and Rugby are in the same predicament: they are all left unprotected, and into them Catholics may be poured in any numbers to infuse their principles into the Protestant part of their little community, afterwards to be transferred to Oxford and Cambridge.

I have now arrived at that part of the bill which strikes me speaking in the capacity of attorney-general, as most extraordinary. Into it is introduced a sham penal code, with penalties from 50*l.* to 200*l.*; many of these, I apprehend, could not be enforced, but I will suppose that they could. The penalties are to be sued for, at the will and pleasure of Mr. Attorney-general; and, will the explainers of this unexplained, the maintainers of this unmaintained, bill, condescend to show me what chance there is that they will ever be recovered—the door, the very key of the door, to these penalties is in the hands, and within the *arbitrium* of Mr. Attorney-general only; and who is this Mr. Attorney-general to be? Suppose he should say one day to the Catholic prime minister, “There is a member of your cabinet who has not taken the oath, and I am minded to enforce the penalty. I

will walk home to my chambers in Lincoln’s-inn, and draw the information.” He does walk to his chambers—he does draw the information, and he sends for the clerk of the Crown-office, in order that he may file it. The clerk of the Crown-office may laugh at him, and say, “You Attorney-general!—you are not Attorney-general at all—the king has no further occasion for your services.” The fact being, that while the learned gentleman was on his way from Downing-street, to his chambers, the Catholic prime minister had seen reason to remove him for threatening to enforce the penalty—his hand is paralysed—the pen drops with which he was on the point of signing the information—his capacity is at an end, and he is found incapable. Did any man ever before hear of securities depending upon pecuniary penalties—those penalties depending solely on the Attorney-general—and that Attorney-general depending merely upon the good-will and pleasure of a Catholic prime minister? The prime minister has nothing to do but to clap an extinguisher on the Attorney-general, and there is an end at once of penalties and securities. The right hon. gentleman has recommended, that the subject should be treated with good humour; and really in all this there is nothing to check our laughter but our pity. It is easy, by the language of an act of parliament—the *vox et preterea nihil* of a statute—by naked enactments, incapable of being carried into effect—to pretend to give securities; but what do they amount in the hands of a Protestant Attorney-general; and how less than nothing, how mere a mockery, would these penalties be, when their recovery is confined to a Roman Catholic Attorney-general! A troublesome, pertinacious, Protestant Attorney-general is easily disposed of—every body knows, and has seen, how he may be got rid of [hear, hear]—but a Catholic Attorney-general will not feel himself bound by the same conscience, and will not attempt to incur the displeasure of his superiors, by unwelcome prosecutions.

I have now travelled through these miserable clauses—through this waste paper of a bill—or, to borrow a phrase employed elsewhere—this almanack, old and out of date before it is in *esse*—which has begun and ended in rottenness, deception, duplicity, and treachery [cheers, and a laugh].

On a former occasion, I was called an Attorney-general in parenthesis; but now, among all my sins, numerous and heavy as they are, that I am an Attorney-general in parenthesis is not one of them. That crime is not mine now, and it was no fault of mine, that when I spoke last I did not go into the subject of Ireland. I did touch upon it as far as was necessary, and I disputed the position of the right hon. gentleman when he said, "If you do not give me a measure of your own you must take mine." What information had we before us on which to found a measure? What right had the Secretary of State to meet us at once and knock us down, as he fancied, with his argument. "If you do not adopt my remedy, you have no remedy of your own to apply?" That is a very dexterous, and a very dapper way of treating the question; it was jumping at once to a conclusion, without giving us a moment to consider, and many thought he was much too short in his syllogism. On the first day of the session, he comes down, and astonishes us with the proposal of Catholic emancipation;—he, who had all his life resisted it, at once turns short round upon his friends, and calls upon them to turn with him; and those who refused to do so, he instantly called upon to originate a measure of relief for Ireland, before a moment's time had been allowed for inquiry, or even for reflection. He, indeed, came down with his plan cut and dry; but was it fair to expect those who had never dreamt of such a project to be prepared on a sudden with an equivalent for his rejected proposal? He put an alternative with which he well knew nobody could comply. I call upon the Cambridge Attorney-general, and upon the Oxford logician, to vindicate this preposterous mode of reasoning and confuting; for I profess myself unable, even at twenty-four hours' notice, to bring forward any alternative.

And now a few words, and a very few, about the sense of the people upon this question. Upon this point, I have heard able arguments from able Scotchmen, physicians and metaphysicians too, Edinburgh and Glasgow logic, but not more convincing than that of the right hon. gentleman. They admit it to be true, that the petitions of the people, in numbers, constitute a preponderance of ten to one; but they add, that reason and justice in this instance is with the few,

and not with the many. This topic was urged in very tasty and flowery language, and in a very captivating style, by the hon. member who presented the petition on Thursday. He told us it was signed by all the greatest men in Scotland, where, according to him, they are all great men—by sir Walter Scott, Dr. Chalmers, Mr. Solicitor-general Hope, and many others, exhibited before us in order and degree, all exalted in rank, and all of the first rate intellectual powers, and most refined accomplishments. The argument, not indeed stated, but insinuated, is this—that the Protestant church is to be considered and valued, not by the many, but by the few; and that you are not to take into view what a hundred thousand respectable and well-educated tradesmen of London and Westminster think upon the subject; but what are the opinions of sir Walter Scott, Dr. Chalmers, and a given number of the professors of Edinburgh universities. The value of petitions is not to depend upon the people at large, but upon the learned oligarchy of the north. I take the liberty of asserting, that I hold this doctrine to be an invasion of the principle of the Bill of Rights, and an insult to common sense. I maintain, that men of plain understanding, in the lower ranks of life, are just as capable of judging of the value of the Protestant church, and of the effect of securities, as any man, if such a man there be, who can write as well as sir Walter Scott, or preach as well as Dr. Chalmers ["No, no," from several quarters]. Honourable members may cry "no, no." It is just as easy for the right hon. gentlemen to say, "produce me your alternative;" but they will find it rather harder to contradict me by argument than by assertion. The words of Magna Charta must be altered in future; and if such a doctrine is to prevail, the opinions of the mere multitude are to be disregarded, and we are to adopt as infallible the dogmas of a Caledonian college. The same sort of argument was adopted with reference to the last election for the University of Oxford; twenty first-class men were said to have voted on one side, and, perhaps, only ten on the other; as if the sentiments of all the common masters of arts were undeserving consideration, because, forsooth, although they had spent ten or twenty years in the University, and had been raised to the most important duties in the church, they had not, in the

onset of their career, gained the highest scholastic honours. What may be the scale of the Cambridge senior wranglers and senior optimes we know not, and there certainly has been a great deal of shyness in endeavouring to ascertain it. But I take the liberty of asserting, in opposition to this doctrine, that the religion of the church of England is not the religion of the few, but of the many—not of the ministers but of the people—not of men of intellectual attainments and of Scotch metaphysicians—but of men of a sober, dispassionate, reflecting turn of mind. Such are the people of England. It is well to say, that the most eminent novelist of this or of any other time or country is in favour of this novelty—that the most profound metaphysicians that ever graced our schools, see no danger in this speculation; but the question is, what do the people of England think of it, and what do they fear from it? And when they are blamed for listening to the information and advice of their pastors, I answer, that, on such points, they are much better able to instruct them, than the possessors of the most refined and curious genius.

Among other innovations, this bill is to give us the benefit of Catholic judges. Allybone was a judge and a Jesuit, the last that graced our bench, who wore the ermined exterior of a judge, and scandalised and vilified the administration of British law, by his charge to the jury in the case of the Seven Bishops. He gave us a sample of what may be expected from a papist, when elevated to that station, and when a question is brought before him involving the interests of his faith. The bishops, as is well known, had refused to read in their churches the declaration of king James, and nothing could be more delicate or inoffensive than the terms of their memorial; its characteristics were extreme complacency and mildness; but it was called a libel, and it was submitted to the judgment of the court, whether it was or was not what it was called. Let us see then how a Roman Catholic judge sums up the law of libel. He says, “I think, in the first place, that no man can take upon him to write against the actual exercise of the government, unless he have leave from the government. So that I lay down that, in the first place, the government ought not to be impeached by argument, nor the exercise of the government shaken by argument; because

I can manage a proposition in itself doubtful with a better pen than another man; this, I say is a libel.” This, the House will remember, is Catholic law, laid down by a Jesuit judge, on what was then and will be in future, if this bill passes, a Catholicized bench. Let us see how this learned Jesuit and juris-consult proceeds:—“Then I lay down this for my next position, that no private man can take upon him to write concerning the government at all; for what has any private man to do with the government, if his interest be not stirred or shaken? It is the business of the government to manage matters relating to the government; it is the business of subjects to mind only their own properties and interests. If my interest is not shaken, what have I to do with matters of government? They are not within my sphere. If the government does come to shake my particular interest, the law is open for me, and I may redress myself by law; and when I intrude myself into other men’s business that does not concern my particular interest, I am a libeller. These I have laid down for plain propositions; now, then, let us consider further, whether, if I will take upon me to contradict the government, any specious pretence that I shall put upon it shall dress it up in another form, and give it a better denomination? And, truly, I think it is the worse because it comes in a better dress; for by that rule every man that can put on a good vizard may be as mischievous as he will to the government at the bottom; so that whether it be in the form of a supplication, or an address, or a petition, if it be what it ought not to be, let us call it by its true name, and give it its right denomination—it is a libel.” Very likely I shall be told, that our law of libel has been altered since the time of Mr. Jesuit Justice Allybone; but let us look at the law as summed up here, and we may anticipate what it will be when we again are blessed with such ornaments of the profession.

Let us not forget that this doctrine of non-resistance, of permitting no argument against government, is of the Roman school—it is strictly belonging to the Catholic church, and the privilege of *imprimatur*, abandoned by our common law, is still adhered to and preserved by the church of Rome as a principle and maxim. If, therefore, we have Catholic judges we shall have Jesuit Allybones, and we shall

be able to speak and write nothing against the public authorities without the terrors of excommunication. A vast deal, in the course of these discussions has been said about names and of the value of authority, and I think I can produce a list of at least as weighty names as those of the writers of novels, however luxuriant may be the emanations of their genius, or of any lawyers of Scotland, however great their learning. Lord Somers, I apprehend, is a lawyer who may be pitted even against the Solicitor-general of Scotland. Milton and Locke are metaphysicians of the olden time, at least equal to any metaphysicians of our own. Hume is one among "quales viros Caledonia emisit," and his authority is perhaps equal to that of any modern, however, palmy, magnificent and efflorescent. To these I may add Sydney and Harrington, and among more modern lawyers, sir William Blackstone. I will not trouble the House with a longer catalogue of great men, the enemies of popery, and it is the less necessary in these times when the many are thrown overboard, and numbers are to go for nothing. If this question were to be decided by the weight of the authority of great names, I could produce a series not easily counterbalanced; but I contend that the wishes and fears of the people of England are to be respected; that their petitions are not to be received with sneers and contempt, while those who thus treat them violate the constitution and insult their undoubted opinions. I will not now trouble the House further: this is the second time I have been called into the field, and if a third time I must meet my adversaries, I am ready to throw down my gauntlet, and I will not refuse the encounter.

Mr. Secretary *Peel* said:—Sir, the speech of the hon. and learned gentleman on this occasion is the least effective of his two speeches; and with the charges it makes against me, it contains a challenge—a challenge I am about to accept, while I attempt to defend the bill against the charges he has made. If that speech contains all the imputations against the measure with which it can be visited, I must confess I have not heard, in the whole course of the debates—and I have listened throughout to the eloquent speeches made by the defenders of the measure—but I did not hear any one with such complete satisfaction as I heard the speech which the hon. and learned member for Plymp-

ton made against the bill. The hon. and learned gentleman has attacked the policy of the bill—and why? The hon. gentleman, Sir, has hunted up some quotation, some opinion of Mr. Justice Allynbone, in order to prove the impolicy of admitting Roman Catholics to seats on the judgment bench; and all I heard went only to prove, that because Mr. Justice Allynbone held an absurd opinion, or made use of an absurd argument, we must now expect the same doctrines from any Roman Catholic who should become a justice. But how would the doctrines laid down apply to the Protestants? Were these arguments, at the same time, not equally erroneous? According to the doctrine of the hon. and learned gentleman, any man who lays down an obnoxious, or incorrect, doctrine on the bench, is, by so doing, not only disqualified himself for civil liberty, but his erroneous doctrine is to disqualify all the persons who profess the same faith through all generations. On this principle, I ask, what will become of the lawyers of 1829, if they are to be judged by the doctrines of the last century? What was done, Sir, on the question of ship money? Were the judges on that occasion Roman Catholics. Is it possible to draw any argument against any opinion from the erroneous opinions of men during a bad time? Is it possible to conceive for a moment, that because Mr. Justice Allynbone held an opinion in such times which was not the same as that held by his colleagues, that his opinion is for ever to exclude Catholics from the judgment seat? What, however, did the Lord Chief Justice say on the same occasion—"Now, gentlemen, any thing that shall disturb the government, or make mischief and a stir among the people, is certainly within the case of *Libellis Famosis*, and I must in short give you my opinion—I do take it to be libel." Other judges, not Catholics, held the same opinion as Mr. Justice Allynbone. Now, the hon. and learned gentleman quotes a Catholic judge; but when the hon. and learned gentleman wanted, the other evening, to hurl a sarcasm against my noble friend, the lord Chancellor, then he referred to lord chancellor Shaftesbury, and to lord chancellor Jeffries. When he is to oppose the Catholics, he refers to the errors of a Catholic; when he attacks a Protestant, he finds arms amongst Protestants. But we disclaim the doctrines

—we refuse to be bound by the acts—of those judges; and so may the Roman Catholics of this day disclaim the doctrines, and refuse to be bound by the decisions, of Mr. Justice Albybone, as we disclaim the doctrines of lord chancellor Shaftesbury, and refuse to do homage to the cruelties of Chief Justice Jeffries. The argument of the hon. and learned gentleman is worth nothing, or it tells against the Protestants quite as much as against the Catholics.

As I have disposed of this point, and as the hon. and learned gentleman has alluded to me, I feel myself bound to advert to the points mentioned by the hon. and learned gentleman. I must first say that no person could have been so much surprised, I may say astonished, as I was, at the speech which the hon. and learned gentleman made from this bench. I cannot express, indeed, the surprise, the astonishment, which that speech excited in me. Sir, up to that hour, no person heard of the intention of the hon. and learned gentleman to make a speech, and no person heard of the indignation by which the hon. and learned gentleman says he was actuated, nor of the dangers from the political antipathy of the Catholics to which he then alluded. Sir, I will narrate facts. The hon. and learned gentleman has informed the House correctly, that a communication was made to him seven days before the meeting of parliament, of the intentions of the government as to this bill. But why was the communication made? The hon. and learned gentleman was no confidential adviser of the Crown. We were not bound to ask his opinion as to the course of policy which we meant to pursue. We had merely to resort to his assistance—not for advice, as to the course we meant to pursue, but for his legal assistance in framing the measures we intended to submit to parliament. The House would suppose, when this communication was made to the hon. and learned gentleman, that he had declared that he could not assist to draw the bill, and that he could not support the principle of the measure; but the hon. gentleman said nothing whatever, by which it could be inferred that he did not acquiesce in the measure. I am bound to add, Sir, that the hon. and learned gentleman did assist in drawing the bill for the suppression of the Catholic Association. We thought it was not

fair to ask his assistance in drawing the bill to put down the Catholic Association, without communicating to the hon. and learned gentleman the whole intentions of the government, as far as the principle of the measure was concerned. The hon. and learned gentleman made no objections; he assisted in drawing the bill to suppress the Catholic Association. He did more. He assisted us with his legal advice in drawing up the present bill, both as respects the law of endowments and of ecclesiastical charities. It was not until the 23rd of February, that the hon. and learned gentleman expressed any opinion against the measure, or any determination not to draw the bill. But parliament met on the 5th of February. The intentions of the government were communicated to the hon. and learned gentleman seven days before the meeting of parliament; he assisted in drawing the bill for suppressing the Catholic Association; he assisted us with his advice, with respect to the law of endowments, and superstitious uses, and he never during that time expressed any doubt of the general policy of the measure. When the time came that it was necessary for my noble friend, who had given notice that the measure would be submitted to parliament on the 5th March, that all the details of the measure should be prepared—for about the principle we had previously agreed—when it became necessary that my noble friend should, on the 23rd of February, ask the hon. and learned gentleman to prepare the bill, is there any man who heard the speech of the hon. and learned gentleman the other evening, who would not suppose that the hon. and learned gentleman displayed his indignation, and answered, “I foresee danger to my country from the measure, and I have sworn an oath which will not allow me to assist you?” [Sir C. Wetherell offered a momentary interruption without rising from his seat; but what it was could only be ascertained by persons immediately around him. Mr. Peel continued.] No, Sir, the hon. gentleman brings forward the date of the formal communication made to him on the subject, for the purpose of grounding upon it a charge against his majesty’s government. I will state the facts of the case, and I declare it was not until the night the hon. and learned gentleman made the declaration in his speech, that I or others had any grounds for sup-

posing that his repugnance to this measure arose from the oath he had taken as Attorney-general. In answer to the communication made to him, he said, he could not give his individual support to the bill; that was his answer, and the only objection offered by the hon. and learned gentleman to it, as far as we were cognizant, until his speech in this House. [loud cries of hear, hear]. Be it remembered, that that speech was made by an Attorney-general of the Crown, holding office at the moment,—not having resigned it—for the purpose of founding a charge against the government under which he acted: and at the same time complaining that he did not know the intention of ministers until a short period before the meeting of parliament. This confidential officer of the Crown, of his own accord, discloses the date of a communication confidentially and officially made to him on the subject. [hear, hear] These are the plain facts—thus has the hon. and learned gentleman acted. One would have thought, that having predetermined so to act, he was not warranted in holding office for a moment; yet he did so, although he had not resigned, nor signified his intention to resign. Certainly, under these circumstances, the hon. and learned gentleman was not warranted in stating the date of an official communication, for the purpose of founding a charge against government for its conduct in connexion with that communication.

With respect to the law of the case, I am aware of the tremendous difficulty which an unlearned individual like myself must find, in attempting to reply to the arguments of an hon. gentleman so skilful and sagacious upon that subject. Yet I must here observe, that if I have any understanding of the bill, nothing has more reconciled me to the loss we have sustained in being deprived of the hon. and learned gentleman's assistance, than the circumstance of his finding fault with the measure upon such legal grounds as he has done. Step by step will I follow the hon. and learned gentleman through his objections. His observations have made me regard the bill as even better than I before thought it. The hon. and learned gentleman states as his first objection to the bill, that it opens and allows an unrestricted intercourse with the See of Rome. The bill does no such thing. It does not repeal a single act which now restrains

that intercourse. If we legalized that intercourse, by establishing a commission to inspect and regulate it, we should by that have recognized it. But as the bill stands, it does no such thing. Every act which prohibits that intercourse remains untouched in the Statute Book. The bill admits the Roman Catholics to the exercise of equal civil rights with Protestants, and does not recognize the intercourse with the Holy See. The hon. and learned gentleman, then, has confounded two things essentially different.

The hon. and learned gentleman accuses me of having abandoned the clauses which were found in the bill of 1825, for appointing a commission of Roman Catholic bishops, who should inquire into the character of candidates for ecclesiastical places, and report the same to the Crown. Sir, I did abandon those clauses, because I thought them utterly useless. The commission of bishops was to report on the loyalty of any ecclesiastical candidates. This was invalid as a security. I know not what loyalty means, or how it is to be ascertained. Those who take the oaths prescribed, are to be considered as complying with the obligations imposed by the legislature, and are to be looked upon as loyal. I abandoned the clauses, then, because I thought them useless as a security; and had the Crown appointed a commission of Roman Catholic bishops to inquire into the character of candidates, and report that to the Crown, it would have been, on the part of the Crown, a recognition of the Roman Catholic religion in England; which it is better should not be recognized by the government of this country. For these reasons I abandoned the provisions which the hon. and learned gentleman reproaches me with having given up. The same reasons apply to the clauses for the inspection of the intercourse with Rome, to be found in former acts. Those clauses provided, that what was purely of a spiritual nature should be excepted from the inspection; and this allowed such large exceptions, that I thought it was of no use. With such exceptions, the clause would not have imposed any real restrictions, while the enacting it would have recognised the Roman Catholic church. It seemed to me better, therefore, to abandon the clause, and not to recognise that church. Now we do not recognise it, and we do not pretend to possess a security that can never answer

the purpose expected from it. For these reasons, then, I abandoned the securities formerly demanded in bills for the relief of the Catholics. It has been well said of them, that they served as a blind to the Protestants, without affording them any effectual security.

Next comes the hon. and learned gentleman's objection as to the oath that a Roman Catholic is to take, disclaiming any intention to subvert the present church establishment, and swearing never to exercise any privilege to which he is or may become entitled, to disturb or weaken the Protestant religion or Protestant government in the united kingdom. The hon. and learned gentleman is not satisfied with the omission of a disclaimer on the part of the Catholics of the exploded dogmas that faith is not to be kept with heretics, and that in certain cases murder may be meritoriously committed. The hon. and learned gentleman says, that I have not inserted in the oath prescribed to the Roman Catholics, a declaration that they are not excused from holding faith with Protestants, and are not bound to kill them. But why should we retain offensive words that are better omitted? We omitted them because it seemed wiser to do so; and now we are charged with having abandoned all security for the Protestant church, because we have not imposed a declaration on the Catholics, that they are bound to keep faith with heretics, and are not bound to kill Protestants. If the words are omitted, the hon. and learned gentleman thinks that the Catholics will not incur the same penalties as under the act of 1793. The hon. and learned gentleman must recollect that lord Eldon took part in drawing up the bill of 1791; but he was also attorney-general in 1793. I admit that those who were parties to the act of 1793 are not called on to be parties to this measure, because this act goes much beyond that in the privileges it grants; but the preamble of the bill of 1793 says, that the Roman Catholics shall not incur any penalties, forfeitures, or pains, whatever, more than Protestants, on taking the oaths prescribed by that act. The exceptions in the bill of 1793 were more numerous than those in the present bill. The hon. and learned gentleman says, that the Roman Catholics' oath will not prevent Protestants from entering the House. If this argument is well founded, how does he reconcile it with

the declaration of the Dissenters, and with the oath of a Privy-councillor? The declaration of a Dissenter, when he enters parliament is, that he will not use any power or influence he may possess by virtue of any office he holds to weaken the Protestant church establishment, or to disturb the bishops and clergy in the exercise of their legal authority. The bill admits the Roman Catholics into the Privy Council, calling on them to take an oath, that they will not use their privileges for the injury of the established church. We are not willing that the Catholics should be excluded, and we are willing to provide for the security of the established church; the reason for introducing the oath is, that similar oaths have been formerly introduced.

The next objection of the hon. and learned gentleman is to the clause which gives the power to the archbishop of Canterbury to exercise the right of presentation to any ecclesiastical benefice or preferment, in case the appointment to such a benefice shall belong to an office the holder of which is a Catholic. We are willing to remedy any plausible objection to the bill; but if the hon. and learned gentleman has so many objections to make to the measure, why did he not attend the committee, instead of reserving all his objections to this last stage of the measure? An objection was made in the committee, and it was suggested that the archbishop of Canterbury was the best person to hold in his hands any power to present to ecclesiastical preferment. We were willing to listen to that suggestion; but the hon. and learned gentleman reserves his objections to the third reading of the bill, when, if they be well founded, the evil cannot be remedied. The objection of the hon. and learned gentleman, however, is not well founded, when he states that the church preferment of Scotland is to be placed in the hands of the archbishop of Canterbury. The bill does no such thing; and either the hon. and learned gentleman has not read, or has not understood the bill, if he supposes that it vests any power over the church of Scotland in the hands of the archbishop of Canterbury. The bill does not vest the archbishop with any patronage or preferment whatever. But as there is certain church preferment in the hands of the Crown, which is disposed of under the advice of a responsible minister, should the

minister of the Home Department be a Roman Catholic, in that case he cannot advise the Crown in giving away this preferment, which must only be done by a Protestant minister. There are, however, some offices under the Crown, such as the chancellorship of the duchy of Lancaster, which bestows on its holder, *virtute officii*, a right to present to certain ecclesiastical preferments; and the bill provides, that if such offices are held by a Roman Catholic the presentation to those preferments shall be exercised by the archbishop of Canterbury. Now it does so happen, that in Scotland there is not a single civil office which has annexed to it any church patronage. In this case, then, of such offices as I have alluded to being held by Catholics, the patronage belongs to the archbishop of Canterbury: the presentations by the Crown must be made by the advice of a responsible minister.

The next objection made by the hon. and learned gentleman was to the clause relating to the scholastic establishments. The hon. and learned gentleman objects to the words "ecclesiastical schools;" but, in fact, the bill makes no alteration in the law in this respect, and Protestant foundations will, as heretofore, have only Protestant masters. We have foreseen this objection, and we come prepared to leave out the words "schools of ecclesiastical foundation," so as to make the clause apply to schools generally. The act will not then give any persons any new powers in this respect, nor entitle them to any exception, which they do not now possess. The bill will then leave the Catholics their schools, and the Protestants theirs.

The next objection of the hon. and learned gentleman is, that all the penalties are pecuniary; and that the offences are to be prosecuted at the discretion of the Attorney-general, who may be a Catholic; or, if willing to prosecute, the minister may be a Catholic, and appoint another Attorney-general. In the first place, the House must suppose the Attorney-general unwilling to prosecute; but the hon. and learned gentleman might have recollected that some Attornies-general, at least, have some respect for the oath they take. In the next place, the penalties are not altogether pecuniary: if the hon. and learned gentleman had read the whole clause, he would have found that the four last lines stated that the person should lose his office. The clause is this:—

"And be it enacted, That if any person professing the Roman Catholic religion, shall enter upon the exercise and enjoyment of any office or franchise, or of any office or place of trust or profit under his majesty, not having, in manner, and at the time aforesaid, taken and subscribed the oath hereinbefore appointed and set forth, then, and in every such case, such person shall forfeit to his majesty the sum of two hundred pounds: and the appointment of such person to the office, franchise, or place, so by him held, shall thereupon become altogether void; and the office, franchise, or place, shall be deemed and taken to be vacant to all intents and purposes whatsoever."

Sir C. Wetherell.—"Thereupon!" that is, on the recovery of the penalty.

Mr. Secretary Peel.—If the hon. and learned gentleman had stated this new objection in the committee, he would have brought it forward in the proper place. As it is, I doubt whether the voidance of office depends on the recovery of the penalty. If it shall be considered to do so, I am willing to qualify the clause by the omission of the word "thereupon." I think, by the act, the office is clearly void, even if the penalty were never enforced. However, I have no objection to meet the hon. and learned gentleman, and if the forfeiture depends upon the recovery of the penalty I shall have not the slightest hesitation in making it depend on the refusal to qualify.

Sir C. Wetherell.—Recommit the bill, then.

Mr. Secretary Peel.—It is not necessary to do so, merely for the purpose of omitting "thereupon." I hope gentlemen will not avail themselves of my desire to cure any defects that may exist in the bill needlessly to retard its progress. The hon. and learned gentleman must not suppose, because we are willing to listen to reasonable objections that we will delay the measure.

The hon. and learned gentleman seems also to think, that the penalty of 200*l.* is not sufficient. What success, I would ask, attended the old Penal-laws, and are we to revert again to them? A moderate penalty will be more likely to be exacted than a severe punishment inflicted; and I believe the penalty will be more efficacious in preventing a violation of the law, than severe penal enactments. I certainly did not expect, at this stage of the discussion,

that I should have had to answer legal and technical objections. I expected that all the discussion this evening would have been on the principle of the bill, and not that the speech of the hon. and learned gentleman, which he was burning with impatience to deliver, was to have been a speech fit only for a committee. He was not content with the opposition which he might have given to the bill, when in progress; he could not restrain his impetuous enthusiasm, and be at peace until he had given vent to his speech. Certainly, for a gentleman who bore the exclusion of Papists from parliament with such exemplary resignation, the hon. and learned member bore his own exclusion with great impatience. An hon. member has said, that we begin by burning the slighter ornaments of the edifice, heedless of the flames by which the more solid and important portions are becoming enveloped—somewhat after the manner of York Minster. We are not labouring under the delusion attributed to the incendiary of that noble edifice, and the hon. gentleman is mistaken in believing that we are about to be enveloped in the flames. However, I give the hon. gentleman the benefit of the plea which, no doubt the hon. gentleman denies to me, and am ready to admit that the hon. gentleman, perhaps like the person already referred to, is labouring under a delusion. I submit, that notwithstanding the hustings' speech directed by the hon. gentleman against my hon. and learned friend, the Solicitor-general, the hon. gentleman has made no impression in that quarter. Neither in the speech of the hon. and learned member for Plympton, nor in that of the other hon. gentleman, can I find any answer to the question—what is to be our policy in the event of our refusing this measure? They had not said one word calculated to lead the House to adopt any other course, in the present emergency. I have this morning received a Letter from the highest authority in Ireland. It is a private communication, but I cannot refrain from reading one sentence of it, which ought to be more conclusive with hon. members than any thing which I can say upon the subject. The Letter is dated the 27th of March, and states, that the amelioration already effected in the social, even still more than in the public peace of the country, since the intentions of government became known, is matter of general astonishment;

that the violent, but well-meaning men of either side are retracting their formerly expressed opinions. This impression, which comes from the highest authority, is confirmed from all quarters. There are many violent persons in Ireland, but both classes have received this measure in a manner which does them the highest honour. In many districts, acting without concert or communication, they considered this an opportunity of reconciling the animosities which had existed for many many years. They said, "if parties in the legislature are prepared to lay aside differences of many years standing, let us copy their forbearance, and by our exertions, anticipate the effect of the measure preparing for us by the wisdom of parliament."

The rejection of this measure, will be productive of danger to a degree which can scarcely be credited. It will destroy the reconciliation which had been already effected: it will elevate the lower classes of partisans on one side, and depress them on the other, and will thus widen, to a most lamentable extent, the breach which is almost healed between the two parties. That is a consideration to which I am sure every member of the House will give its due weight; no matter what objection he may have to the abstract policy of these measures. He may think that we are in the wrong;—he may condemn us for acting as we have done; but it will be perfectly consistent in him to argue, that having once brought such measures forward, we cannot avert the evils which are inseparable from their rejection. On these grounds, I entreat the House, and every member who has influence in the House, to pause before they come to a judgment this night. I am willing to submit my conduct to public revision, but I must at the same time contend, that if any member thinks that the consequence of rejecting these measures will produce a state of things very different from that on which he previously proposed to himself to give his vote, he will be more consistent in giving his vote conformably to the new state of things, than in adhering to his former vote, in a state of things which is completely altered. I trust that the time is now fast approaching when we shall for ever have done with the consideration of this question. If we were enabled to extricate ourselves from the innumerable mazes and ramifications of it,

—if we were enabled to say, that our time shall no longer be wasted, by receiving petitions either in favour or in opposition to the Catholic claims—if we were enabled to disencumber ourselves of this endless Catholic question, and to turn to other objects the thirty or forty days which, for sessions past, we have dedicated to it—even thus far we shall be conferring a great benefit on the country. The discussions have, at all times, been most painful to me; but I beg, notwithstanding the imputations of inconsistency to which it may subject me, to claim for myself the privilege, and not merely to claim the privilege, but to assert the bounden duty of every man who contracts such an obligation as I have contracted to the king, to give his majesty advice, not with reference to speeches which I may formerly have delivered in this House, but with reference to the state of affairs in which the country may at any time be placed. And then, however doubtful it may be whether I shall entitle myself, by my conduct, to the gratitude of posterity—however painful it may prove to me to disserve party connections—and I have this night received a formal menace, that all such connections shall be severed—still those are consequences which ought not to weigh with one who has undertaken the responsibility to the Crown and to the country. Different circumstances compel different courses of action. The minister of the Crown is placed in a different situation from the ordinary member of parliament; he is bound to weigh circumstances which others may overlook, and whatever may be the imputations to which he exposes himself, he is bound to give the best advice which it is in his power to give. My hon. friend the member for Liverpool has told me that I shall find great lukewarmness hereafter among those, whose good opinion I have hitherto been proud of securing. I know my hon. friends too well to suppose that they have been influenced either by private or by personal considerations, in the support which they have given me formerly, and I am sure that they will steer their future course in such a manner as will tend to the promotion of the public interests—not to the annoyance of a particular minister. I cannot purchase their support by promising to adhere at all times, and at all hazards, as minister of the Crown, to arguments and

opinions which I may heretofore have propounded in this House. I reserve to myself, distinctly, and unequivocally, the right of adapting my conduct to the exigency of the moment, and to the wants of the country. The hon. member for Dover has told me, that I must cling to this opinion, and that it is necessary that I should screw myself up to the other opinion, at all hazards; but the hon. member has not assigned a single reason, for the advice which he has given me. I will tell the hon. member, to use the metaphor of the gallant admiral near him, that it does not always follow that the pilot is bound to steer the same course to guard the ship from danger; and that when different winds are blowing, it is absolutely incumbent to take a different course to save the ship from those dangers, which, if they were incurred, must lead to the inevitable loss, not only of the ship, but also of her crew. That has been the opinion of all former statesmen, at all times and in all countries. My defence is the same with that of all others under similar circumstances, and I shall conclude with expressing it in words more beautiful than any which I myself could use—I mean the words of Cicero:—“*Hæc didici, hæc vidi, hæc scripta legi; hæc de sapientissimis et clarissimis viris, et in hac republicâ et in aliis civitatibus monumenta nobis, litære, prodiderunt—non semper easdem sententias ab iisdem, sed, quascumque reipublicæ status, inclinatio temporum, ratio concordiæ, postulerent, esse defendas.*”

Sir R. H. Inglis said:—

I rise to move an adjournment of this debate [cries of go on, go on!].—I have so often, and at such length on former occasions, addressed the House upon this subject, and the subject itself has been so almost exhausted already, that I can scarcely hope to say any thing now, which has not been already said by myself, or better said by those around me, or by some of those to whom I am now opposed. At the same time, the question has been brought forwards under circumstances so unexpected and so extraordinary, and has been carried to its present stage by a combination of support happily so unprecedented, that I am anxious, before it quits this House, to express once more my opinion in reference to its actual state.

A large part of the debates hitherto

has consisted, as my right hon. friend, the Secretary of State for the Home Department, has complained, of personal crimination and recrimination, and of gratuitous explanations, and confessions. However unwilling, as on many accounts I am, to enter upon any personal questions, yet, as the defence of his majesty's government in the introduction of the present measure, has been rested by him on four distinct grounds, two of which are of a nature involving personal considerations, I cannot state my case without meeting them. I am willing, indeed, to admit, that the *argumentum ad hominem*, however much it may degrade the personal character of the individual against whom it is directed, cannot alter, in the smallest degree, the weight of the arguments which affect the question itself. I am willing also, to admit, that the argument against the time of bringing this question forward often only affords room for the reply—"you prove not that the measure is wrong now, but that it should have been brought forward in 1827, or in 1825."—My objection is not to the person, or to the time, by whom, or at which the question is introduced. I object to it by whomsoever, and at whatever time it is recommended to us; by the hon. baronet, the member for Westminster, or by the Secretary of State; by Whig, by Radical or by Tory; in 1812, in 1821, in 1825, or in 1829. My objection is founded on the unchanged and unchangeable character of the Church of Rome;—and when I am told, as I was told this evening, that, however just that objection might have been in other days, or in other countries, it is futile now in modern Europe, since the pope and the papal power are non-entities, I ask, is the proof of the extinction of the papal power to be found in the fact, that the mightiest sovereign of modern times sought the aid of the pope, a poor old man, his prisoner, to enable him to govern his own dominions?—But I am told, that in Ireland, at any rate, the power of the papal hierarchy is extinct: I ask, is the proof of that fact to be found in Louth, in Monaghan, in Waterford, or in Clare? Is it to be found in the complete organization of the people under their priesthood,—an organization by which they are ordered to march, or to retreat; to abstain from all spirits, from all quarrels,

from all their previous habits; and this, for a political purpose? Is it to be found in the fact, that the leader of the fierce democracy of Clare on the very scene of his triumph, and on the very day of his triumph, knelt down in the streets to receive the blessing of his priest?

An hon. friend of mine told me, on the first day of the session, that his objection to the spirit of the Roman Catholic religion was as strong as when we formerly voted together against giving to that spirit any new sphere of action over Protestant interests; but that he should vote for the bill, because he conceives that it will weaken that spirit. To me this does appear most extraordinary reasoning.—Your enemies surround you on every side; they have dug their trenches; they have laid their mines—they are preparing for the assault—and how do you act? Do you barricade your gates? do you man your walls? do you nail your flag to the staff?—No—you open your gates;—you say to your assailants—"Gentlemen, here is munition of war for you:—you have guns, but you want powder: you have blades, but you want handles: you have soldiers, but you want engineers:—all these you shall have from us. It is right that all men, whatever be their opinions, or their views, should have equal advantages. When we have done all this, you will, we know, be too liberal to take any advantage of us;—you will renounce your threats against us;—the battery which you have erected against our great Church you will discharge in the air;—we will go together to the temple of Eternal Justice or some such goddess, of whom my honourable friends opposite are fond of talking—we will swear eternal friendship." Would any man out of Bedlam use this language, in any other case, without entitling himself to be put into Bedlam?—Tell me that the Roman Catholics have a right to what they ask, and I can reverence the feeling, which would concede that right at the sacrifice of our own dearest interests; but to tell me now, as they have told me always, the Roman Catholics have no right to what they ask;—and we concede, not because they are less dangerous, but because they are more clamorous, is to establish a principle destructive of all order, and all society: and ought to afford no triumph to his majesty's ministers, who now for the first time proclaim it.

I admit, that those are entitled to triumph in the present success of the measures, who for eight-and-twenty years—one of those men I now see—have contended that it will prove a panacea for the evils of Ireland. Those, too, are entitled to triumph in the success of this measure, who hold, that though it will not relieve all the evils of Ireland, you can do nothing in the way of relief without it. The hon. member for the county of Armagh acted gallantly, though, as I think, under a delusion, when, in 1825, he changed his views on this question, and said, “I was deceived in the opinion which I entertained of the character and tenets, and tendencies of the Church of Rome. I am now persuaded, that they are innocuous: and, therefore, I shall now accompany the change of my opinion by a corresponding change of my vote.” But that man is not entitled to triumph in the present success of this bill, who changes not his opinion, but his vote,—who tells us, that he sees still the same danger which he saw before,—who declares, that the Church of Rome is now, as it ever has been, and ever will be, hostile to Protestantism in England, in Ireland,—in Europe generally, and wherever else it is found;—but who justifies the change of his vote by the statement, that with all these forebodings, the evils of continued resistance are so great, that he chooses the evil of concession as the least.

Upon the proof, then, that this admitted evil is the least of two evils, depends the whole justification of his majesty's government. This proof is to be sought in the following statements of the right hon. gentleman:—1st. the divided state of the cabinet: 2nd. the division between the two Houses: 3rd. his being, himself, left in a minority: and 4th., and above all, the condition of Ireland.

On the first point, having already on a former occasion touched it, I will here only ask two questions. I will ask, whether any man, strongly and conscientiously attached to the cause of Protestant ascendancy, could, if he had felt that a divided cabinet was an evil which threatened that ascendancy, have found at any time an easier mode of removing such a difficulty, than on the morning of the memorable day, which saw the publication of the correspondence about which “there is no mistake—there can be no mistake—there shall be no mistake.” If such a man had

felt, that a divided cabinet was an evil to which the constitution might hereafter be sacrificed, could he not on that morning have said,—“here is an opportunity of re-uniting the cabinet, and of sustaining the constitution:—we may now at last be unanimous in the maintenance of the existing laws?” Another question remains. If the evils of a divided cabinet be so great, even when all its members are professors of the same religion, bound by the same interests and by the same oaths to the same institutions in church and state, ought it not to have been within the calculation of the former opposers of the present measure who now recommend it, that there may come times when the cabinet will, by their act, be divided, not between themselves on the one hand, and such men as my right hon. and gallant friend, the Secretary of State for the Colonies, on the other; but between nominal Protestants and real Roman Catholics; when such men, for instance, as a lord treasurer Clifford, or a lord chancellor Ashley may be found again in office? And do they, by such means, provide for the security of the Protestant institutions of England?

The next evil, the extent of which has led to the present concessions, is the evil of the division between the two Houses of Parliament. As to this point also, I will only ask two questions. In the first place, has it not been known for many years, that two branches of the legislature have held strong and decided opinions upon the question, and that they differed widely from the late decision of this House upon it? It may not be fitting to refer more particularly to the opinion of one of those branches; but it will not be denied, that it was deeply felt, and has been more than once expressed. The opinion of the other branch of the legislature has been marked by their votes against concession for the last sixteen years, uniformly, and by large majorities. Yet the opinions of both these hereditary branches of the legislature have been made to yield to that of the third—a fluctuating, temporary body—whose judgment has not been pronounced with equal uniformity, but alternately for and against concession. Am I not entitled to ask, why this deference should be paid to the House of Commons, when no man can state that whether the concession be right or wrong, this House by deciding in favour of it, represents in any degree the feelings of the great majority of the peo-

ple of England? I will ask one other question. If measures are thus to be forced upon parliament by the whole power of government, on the ground that a division between the two Houses is inconvenient—[I limit my argument at the moment to this position]—and if it be said, that, so forced, the measure must pass the House of Lords, though I do not yet abandon the hope of seeing it there defeated, is it not converting that House into a mere chamber for registering the decrees of the House of Commons? Suppose that some bill should pass this House for an alteration of the tithe-system—I only use this as an illustration—and that such a bill, so passed here, should next be forced upon the other House, can any Jacobin devise a surer mode of degrading the House of Lords than by assuming that they must pass it, because it has passed here, and because it is inconvenient, forsooth, that the two Houses should be divided?

The third point on which the right hon. gentleman rests his justification for the introduction of this measure, is the fact, that he was himself left in a minority upon the question. I admit that it is disagreeable to be so left—but he is not the first minister who has been in such a situation; and at no time would the fact be a sufficient excuse to any public man, for his abandonment of a great public principle. At any rate, the argument, whatever be its value, was stronger in 1825 than in 1829. Then he sat between his great opponents, Mr. Canning and lord Plunkett; lord Goderich near him; and two other cabinet ministers, the right hon. gentleman, the member for Liverpool, and the right hon. gentleman, the member for Montgomeryshire, speaking and voting against him: but now all this is reversed—and he has two cabinet ministers in this House with him, and the Secretary of State for the Colonies is in the same forlorn condition in which the Secretary of State for the Home Department sat in 1825.

“But,” says the right hon. gentleman, “I was not only left in a numerical minority, but I was not adequately supported by my friends in this House.” He thus throws over-board at once his two right hon. colleagues in the present cabinet, the chancellor of the Exchequer and the master of the Mint, who both at that time certainly gave their talents to the Protestant cause. The Secretary of State, how-

ever, without noticing them, passes on to others, and asks my hon. friend, the member for Kent, why he did not speak here instead of speaking on Penenden Heath. I hope, if so attacked, that I may be able to reply with the same temper and spirit as my hon. friend displayed in his answer. But, in my turn, I will ask a question—Whom did the right hon. gentleman encourage to support him? What young man did he invite to come forward in defence of the views which he then professed to entertain? With whom did he surround himself? Mr. Pitt gathered about him the largest portion of the rising talent of his day; and so completely associated to his own principles the band thus gathered, that almost all the distinguished men now in the Upper House of Parliament—with perhaps two exceptions—were bred in what may be called the School of Mr. Pitt. Mr. Canning also made it his business and his glory to surround himself with young men of the highest talent;—some of them I now see opposite—my right hon. friend the member for the county of Inverness, my hon. friend the member for Staffordshire, my hon. and learned friends the Solicitor-general for Ireland, and the member for Milborne Port, and many others, who now represent the opinions of Mr. Canning faithfully, and with eloquence almost equal to his own. But, since the right hon. gentleman complains of not being supported in this House when he formerly advocated the cause of the Protestant constitution, I am compelled again to ask, whom did he invite to support him?—with whom did he surround himself? His argument is, that if he had possessed the aid of sufficient intelligence and power among his followers, he would not have abandoned his late position. This, at least, is the effect of his third argument, in which he refers to the fact of his being left in a minority, as one of the causes which justify his change of conduct. I violate no confidence, when I repeat here a suggestion which I have made elsewhere;—and which I then made in the full belief—a belief confirmed by all which has passed in the interval—that the larger portion of the intelligence of the country is arrayed in favour of the existing constitution. I ask, then, why, if his majesty's government felt the want of talent in this House to support them, they did not go to the two Universities, to the Temple, to Lincoln's Inn; and, declaring their sense

of the necessity of making a great effort to secure and perpetuate the Protestantism of the constitution, enlist there under the old banner all the rising talent, which was already in principle devoted to the cause, and, with that band, re-enter this House?

Sir, I rejoice, that I have now done with every thing which may appear personal. It was impossible for me, as my right hon. friend had rested his defence on some grounds so personal to himself, to omit all reference to them;—but I may now turn freely to other and more general topics.

The fourth and last point of the right hon. gentleman's defence is the state of Ireland. Having on another occasion, already in part adverted to this subject, I shall not long occupy the attention of the House upon it now. I do not deny the evils of the existing state of things in Ireland. My argument, and my conclusion, do not require it. I contend only, that the state of Ireland, bad as it is, is not worse now than it has been at all times—I will not confine myself to our own days only—but as far as any history can carry us: and I contend, therefore, that the present laws against the Roman Catholics, by which the power of the state is preserved exclusively Protestant, cannot be the cause of evils which existed long before the distinction of Roman Catholic and Protestant—long before an Englishman entered Ireland. I will not, however, on the present occasion, do more than refer to two authorities on this point; one the passage from Sir John Davies, which, as it has been already quoted by an hon. and learned friend of mine, I will not here repeat; the other, a passage from Spencer, whose words might almost have been used by the right hon. gentleman the Secretary of State, so exactly did Spencer describe, as existing in his day, that state of things which is now brought forwards as something so new, that the whole constitution must be changed to meet it. I refer particularly to the difficulties alleged now to exist in respect to getting justice in Ireland. Spencer's words are these:—"Now, most of the freeholders of that realm are Irish, which, when the cause shall fall betwixt an Englishman and an Irish, or between the queen and any freeholder of that country, they make no more scruple to pass against an Englishman and the queen, though it be to strain their oaths, than to drink milk unstrained. So that before the jury go together, it is all to nothing what the ver-

dict shall be. The trial I have so often seen, that I dare confidently avouch the abuse thereof."—So much for one of the positions of the right hon. gentleman. My argument is briefly this—that grievances which existed before the enactment of the penal laws cannot be removed, or, at least, will not by necessary consequence be removed, by the repeal of those laws;—and when I am prepared to prove that those grievances existed not only before the date of the penal code, but before the Reformation, and even before the English invasion,—that, in short, there has been in Ireland a transmigration of turbulence, under every different name, for centuries, an alternation of insurrection, proscription, and confiscation, I am entitled to conclude, that the repeal of the laws, which, for two of those centuries, have prevented a Roman Catholic gentleman from sitting in parliament, will not have much effect in tranquillizing such a people.

And here, Sir, I cannot but consider the circumstances under which the present bill is brought forward, the persons by whom it is urged upon us, and the arguments by which it is enforced. I cannot but contrast the measure in all these particulars, with the times and persons past by. If at any period, concession would have produced conciliation, it cannot now. From Mr. Canning emancipation would have been granted open-hearted and open-handed. Concession from him would have been a grace, and a gift, and would, perhaps, have been received as such: concession from the right hon. gentleman is privilege surrendered to intimidation. Concession from Mr. Canning would have been alms from the merciful, a debt from the just: concession from the right hon. gentleman opposite is his purse surrendered to a footpad. Am I not justified in the assertion? Does not the right hon. gentleman himself tell us, that he yields unwillingly?—that the party, to whom he yields, has no right to the booty?—that he yields, because he is afraid that, if he resists any longer, he shall be knocked down? But let me tell him, that, while alms may silence a beggar, and payment will satisfy a creditor, the surrender of his purse to a highwayman is not the best way to preserve his watch.

Even if his majesty's ministers had not brought forward the threatening state of Ireland as one of the considerations which induced them to change their conduct in

respect to this most important question, I should have seen in that conduct sufficient evidence that it was produced by intimidation. I maintain, that surrender to the Roman Catholics now is a direct premium to intimidation in future. Nothing but the agitation produced by the Roman Catholics in Ireland has brought, or could have brought, their claims to their present triumph. To agitation government have yielded their own principles and the constitution. Henceforth the principle of intimidation will become almost a rule-of-three sum; and we shall have it in the Class-books of Maynooth, if a given degree of agitation will gain seats in parliament, what degree will be necessary to procure any other concession, the abolition of tithes, for example, or the dissolution of the Union? This, therefore, I regard as one of the greatest evils attending the introduction of this bill, that it has, to all orders of men, certainly at least to the Roman Catholics, established the principle of a scale, by which any discontented party may, at any time calculate the attainment of success, by application of a given quantity of agitation.

If, indeed, by any measure which we could pass now, we could hope to satisfy the Roman Catholics, there might be some reason even for the sacrifice of the constitution;—but I am deeply persuaded, that, so long as there is any thing to obtain, so long the Roman Catholics will consider that they have gained nothing, till every thing shall be in their power. This has been the principle on which for more than thirty years their leaders have proceeded. Is it not the principle which their orators have avowed? Has it not been triumphantly announced, that, as it has been by agitation that they have succeeded thus far, by agitation will they continue to seek the objects which still remain to be extorted, and which they own to have still in view? Their motto has been, and will be, “*Nil actum credens dum quid superesset agendum.*”

The principle of their ambition will no more be satisfied than that of the conqueror;

“On Moscow’s walls till gothic standards fly,
And all be ours beneath the arctic sky.”

The right hon. gentleman has, however, indulged himself in the contemplation of the advantages which he thinks we shall derive from getting rid of the Roman Catholic question: but let me ask him

first, whether we are not likely—at the best—to have, in lieu of it, a Protestant question? When the present measure shall be carried against the opinions, the wishes, the prayers of the great majority of the people of England, does the right hon. gentleman suppose, that the people, so disregarded this year, will for ever abstain from reviving the discussion? Does he not think, that the great masses of the people will send their petitions by thousands for the repeal of this measure so forced down upon them?—But in my conscience I believe that we shall still have a Roman Catholic question. I believe that at no distant period we shall see renewed the same system of agitation and intimidation on the part of the Roman Catholics which has been thus far so successful:—and, then, let the right hon. gentleman calculate, whether it will be more easy to govern the country with an immense majority of the Protestants alienated, because injured by this measure, and with the Roman Catholic body made by it more powerful while it has left them still grasping and dissatisfied?

For, after all, will not this measure leave them dissatisfied? Sir, who are the men supposed to represent the mind of the Roman Catholics of Ireland? Are they not Mr. O’Connell, and Dr. Doyle? And do they profess to regard the measure now proposed to the House as sufficient for their rights and their wishes? Why, Sir, Dr. Doyle says—the passage has been quoted by myself already—that emancipation is chiefly valuable as opening the door to ulterior measures: and Mr. O’Connell says, in direct terms, that emancipation will not satisfy him: he owns frankly, indeed, that seats in parliament will be valuable to them as enabling them to keep a watch over the church establishment in Ireland. Are these the men, to whom, after these avowals, you can safely commit the care of that establishment? Mr. O’Connell has further declared, that his first motion in parliament will be to move for the repeal of what he calls that most mischievous measure, the Union. But, Sir, I will afford the House, if they will permit me, another opportunity of judging whether the Roman Catholics are likely to be satisfied with this measure. There has been addressed, though not yet presented, a petition to this House from the Roman Catholics of Newry, from which,

as it is printed in a paper favourable to their claims, I will, by the indulgence of the House, read a few short passages. Let me say, that the first signature to this petition is described as "that of the right rev. Dr. Kelly, the Catholic bishop of Dromore," I use the words of the paper, "and coadjutor primate of Ireland." They tell us openly, that this bill enacts "new penal and restrictive laws, which are calculated to keep alive discontents and heart-burnings on the score of religion:" so much for the pacification of Ireland. They tell us boldly, in reference to the clause which forbids their bishops to assume the titles of Protestant sees, that "they do and always will firmly maintain those spiritual rights to their sees,—rights not derived from secular authority, nor the object of secular legislation."—So much for their submission to our laws. After some important reasoning upon the oath proposed; after stating, that the Disfranchisement bill "will neutralise the good expected to be derived from the concession of the Catholic claims," they state explicitly, "that they owe it to truth and candour to declare, that they would rather remain as they are, excluded from the privileges of the constitution, than receive a measure of relief, clogged with enactments insulting to the bishops of the Catholic church of Ireland, having in view the total extinction of the regular clergy; and, in destroying the forty-shilling elective franchise, exhibiting a dangerous precedent for further curtailing the rights of the people."

Now, Sir, I ask, when three of the most influential men in Ireland amongst their Roman Catholic countrymen, (for Dr. Kelly may be joined to Mr. O'Connell and Dr. Doyle,) assert distinctly, that the concessions made by the bill will not satisfy them, whether we have any authority for hoping that there is any thing in that bill which will have the effect of restoring and securing tranquillity to Ireland? And let me also ask, whether the bill is likely to be more satisfactory to the Protestants of England? Need I ask this question, when I recollect, that of the unprecedented numbers who have during this session petitioned this House,—and a larger proportion of intelligence and of respectability never approached any house upon any question, than those who have endeavoured to make their prayers heard at our bar on this occasion—nine tenths

at least are unequivocally opposed to concession, under any form?

Many, indeed, I believe, of the supporters of the present measure are little aware of the dangers which it involves. With some, those dangers would be disregarded, even if foreseen. To many, I am sure, the bill appears as a religious peace-offering. They are now hailing its approach as such with hymns of triumph; little thinking what a source of ruin to all our institutions they are introducing within our walls:

"Scandit fatalis machina muros.

Instamus tamen immemores, cœcique furore,
Et monstrum infelix sacratâ sistimus arce."

One topic remains:—often, as on former occasions, I have addressed the House on this subject, I have never treated it as a question of religion. I have sought, and think that I have found, in the civil tendencies of the Church of Rome, sufficient to justify me as a member of parliament, in refusing to yield to a church—grasping, and as I believe insatiable—the means by giving much to-day, of extorting all hereafter. But, Sir, the time for reserve is past: and I can no longer conceal, that I also regard the present as a religious question. I wish that I may be enabled to follow in any degree the manner and spirit with which my hon. and learned friend, the member for the Inverness boroughs, treated this subject. It is one, indeed, of great delicacy; it is a religious question, not merely because, as some of my hon. friends near me have stated the case, it is connected with the obligations of an oath, as affecting the individuals who are required to take it;—but, on more general grounds, as also affecting the nation. My hon. and learned friend, to an observation referring to the repeal of the Test and Corporation acts, replied, by asking, "what test have you now of the peculiar religious opinions of any man as a member of this House? You have, indeed, negative evidence, that he is not so and so; but you have no positive evidence." This, Sir, I own is a subject, to which I cannot look with pleasure, or even with indifference. I view it with great regret. It is the use which I expected to be made of the measure of last year. By the repeal of the Test and Corporation acts, it is too true that the legislature severed the Church of England from the state: by this

measure, now before the House, we shall sever Protestantism from the state:—In another year, in the progress of liberal opinions, we shall, I suppose, be required to sever Christianity from the state. And this places the question in a position, which I regard with anxiety and reluctance, from a feeling upon which I will not enlarge. I regard, Sir, the solemn oath and declarations which are about to be abrogated, as the national protest against Popery: these are the only tests, so far as the legislature is concerned, by which it is seen that we have any interest in Protestantism. I am unable to perceive what, when the House shall have removed these oaths and declarations, will remain, to give to the state that Protestant character which has so long been our glory and our security. We cease as a legislature to protest against popery, and to record before God and our country our sense of the value of the Protestantism of our constitution. In fact, that Protestantism the bill formally renounces. I will not follow my hon. and learned friend opposite in his review of my highly-gifted friend Mr. Croly: I do not pretend to follow Mr. Croly himself in all his details: but this I will say, that since the constitution has been essentially and fundamentally Protestant, the country has enjoyed a larger measure of public and private prosperity, has grown more in intelligence, in happiness, in resources of every kind, than any country in any age. All this is to be changed; all this at least is to be put to hazard by the present bill, and believing that a blessing has rested on our Protestantism, and that this measure destroys that Protestantism as the character of our institutions, I have objected to it, and will continue to object to it now and for ever.

Mr. *Sadler*, being loudly called for, rose and addressed the House as follows:*

Mr. Speaker; I rise for the purpose of moving an adjournment. [No, no—Go on, go on!] I appeal to the right hon. gentleman opposite, as to its propriety, its necessity. [Go on, go on!] Sir, we owe it to ourselves, to the character of this House, as a deliberative assembly—we owe it, as a representative body, to our constituents. The character, the dignity of the House, I repeat, are implicated in these precipitate proceedings. The

anxiety of many honourable members to address this House; the unparalleled importance of the question, placed, as it were, for the last time, under its consideration—the intense anxiety of the public mind, as to its issue—dictate to every member, whatever be the view he may take on this important matter, the decency, the necessity, of more deliberation. [Renewed cries of ‘No, no; go on, go on.’] Then, Sir, if adjournment is refused, I must, however reluctantly, proceed. The fatigue to which the House will be subjected, especially at this late hour, I much regret; but I hope it will not be imputed to me. I shall, therefore, venture to address this House, under circumstances which would, on any other occasion, have imposed silence upon me. Deeply sensible as I am of the indulgence I received on a former occasion, and aware of the circumstance to which it was owing, I would not have again trespassed so soon upon its attention, had the question been one of ordinary interest, or the period allowed for its determination sufficiently extended. The contrary, however, is in both particulars the fact. Never was there a measure of such vast and permanent importance brought before the legislature of the country since the Protestant Constitution now sought to be subverted was established: never one, of however confined and uninteresting a nature, attempted to be passed, under such strong opposition both within and without doors, with such unseemly haste. These circumstances, therefore, must form my excuse for again presenting myself to your notice. I feel it to be a duty which I owe to myself, and which I am sure my constituents will exact of me, to oppose this impolitic, unconstitutional, and ruinous measure, at every stage of its progress.

Sir, the right hon. Secretary has remarked on the impropriety of discussing the provisions of the bill at this stage of its progress, rather than arguing on its general merits; he has, however, fallen into a similar error himself, in his speech this night. I shall not in this respect imitate him. My objections are still levelled at its principle. Abhorring this as I did, I felt little disposed to attend to any discussions in the committee, as to its various details. My objections remain unaltered. I believe, Sir, that it affects, in its very nature, the Royal Title; that

* Copied from the original Authority.

it is subversive of the British Constitution, or, in other words, of the rights and liberties of the people of England; that it is introduced on very insufficient, not to say fallacious grounds; that its securities, whether meant as such or not, are mere delusions, that they are frivolous in their nature, and will be practically inoperative; that it will instantly introduce a confusion into our institutions which will perpetually increase till the whole be subverted; that, in establishing a principle of indifference as to the public profession of religion, it will assuredly generate a contempt for Christianity itself. I totally disbelieve that it will settle the disputes between Protestantism and Catholicism, which are in their very nature irreconcilable while either is sincerely believed; but I am persuaded it will, on the contrary, unsettle every thing that has been so long and so happily established amongst us; and finally, while I do not credit that the good which its promoters promise us from its operation will ever in the slightest degree be fulfilled, so, on the contrary, I am confident that the evils which they themselves prognosticate as its very possible consequences, will be far more than realized. In one word, I regard the measure to be as unnecessary, as unconstitutional, and as dangerous, as those who are now bringing it forward pronounced much safer and better ones to be some few months ago; and whose tergiversations, both of principle and policy, are, to me at least, slight proofs of their past wisdom, and poor securities of their future stability. I say I shall avoid enlarging upon these topics; if the facts and reasons adduced by such men on former occasions have made so slight an impression on their own minds and consciences, and on those of the present majority of this House, how can I imagine that they will have any influence when more feebly echoed by myself?

I understand it would exceed the ordinary indulgence of the House were I to allude to arguments, or, as I felt them, accusations, directed against me since I had the honour of addressing it. Some explanations I wished to have offered at the time, and rose more than once with the intention of so doing; but the eagerness of many hon. members to take a part in these important discussions (a feeling so proper and natural on every view of the subject) deprived me of the opportunity;

and I learn that the time has now passed. I will therefore merely repeat what I have previously asserted, and what I have not heard disproved—namely, that the distresses and disturbances in Ireland, like those which prevailed in the manufacturing districts of England a very few years ago, originate in general indigence; that they have been attributed in the one instance to the want of parliamentary reform, in the other to the want of Catholic emancipation; that you spurned one class of petitioners, that you are about to surrender to the other; that you met the commotion in that case with punishment, and even bloodshed,—in this, with connivance, if not with approbation. But, Sir, I said not that I approved, or otherwise, of either policy; much less did I urge the transference of the severer course to Ireland. I was not the then Secretary at War, [looking at Lord Palmerston] and consequently as I have no claim, so I have no wish, to share with him either the honour or the odium of this, to say the least of it, inconsistent course; much less did I then, or do I now, recommend, as he imputed to me, civil war as a cure of its evils. On the contrary, Sir, the remedies I ventured to propose were to be found in ‘the fair, delightful arts of peace!’—in the encouragement and reward of industry—the relief of misery and sorrow—the diffusion of knowledge—the propagation of truth—the extension to a suffering race of the common rights of humanity—the return of their natural protectors to their several essential and important duties—in short, the promotion of general prosperity amongst a nation ‘peel’d and trodden under foot.’ I leave the civil war, Sir, to those who cast the imputation upon me—theirs be the war against Protestant Ascendancy—against a moderated system of national relief—against a fancied redundancy of population, in a country pre-eminently fertile, not two thirds of which is at present adequately cultivated; or, in other words, a war against true Religion, Charity, and Providence itself. No, Sir, the contest I recommended was against injustice in all its forms, and especially when abetted by wealth, and armed with power—against priestly domination—against laical desertion; evils of which the generous and long-suffering people of Ireland have been for ages at once the

dupes and the victims—evils which I firmly believe the present measures will go far to perpetuate. I repeat, Sir, I recommended no bloodshedding—no civil war; and if any one, more conversant with such dreadful alternatives than myself, attributed in this time of agitation, and on this inflammatory topic, words to me which I never uttered, and imputations which I abhor, the time, I say, is past when I could have replied. I leave such, therefore, to the severer reproofs of their own conscience.

Sir, I will just state further in reference to Ireland—that I attributed the distresses and agitations of that country, which originated, I maintain, (as did the celebrated Sir John Davies, an authority since quoted against me) long before the era of the Reformation, and which have continued for so many centuries, to that imperfect state of civilization, and to that oppression, which have resulted as a necessary consequence from the desertion of their duty by many of the great proprietors of that country—to Absenteeism, the main enemy of Ireland, as it has long been regarded, against which a series of laws have been enacted, commencing nearly five hundred years ago; laws which lord Coke highly eulogises, and which the real friends of that unfortunate country have so long and so earnestly wished to be rendered operative and efficient. In lieu of these remedies, I, for one, am unwilling to adopt the suggestion of those who seem very ready to compromise for the omission of positive duties, and the consequent commission of inevitable injuries, by a few orations in favour of what is called emancipation. Sir, the emancipation I would ask, in behalf of oppressed Ireland, does not affect the few whom this measure contemplates alone to serve, at the expense of the many whose political condition it evidently and intentionally degrades. It is not a sentimental emancipation, extending its privileges to the great Catholic proprietors and peers, the emancipation of the drawing-room and the saloon; it is an emancipation of the mass of the Irish people from the chains of superstition and tyranny—from cruelty and oppression; an emancipation from the devastations of unrelieved want—from the desolation of universal wretchedness. And, Sir, by means simple, obvious, and efficacious, which every good man would hail, and which even the bad would fear to oppose; namely, by encouraging and reward-

ing labour—by promoting and extending cultivation—by the reclamation of those bogs and wastes which now freckle over the face of that fair and fertile country—above all, Sir, by the introduction of a moderated national charity—that sacred but much insulted system, which would descend upon that bruised and afflicted country, like an angel of mercy, with healing in its wings. It might, indeed, to use the fashionable cant of the day, absorb some of those products which are now unfeelingly wrested from a suffering people; but, in so doing, it would fall like the kindly dews of heaven upon a parched and unwatered waste, renewing its beauty, and clothing it with fresh and unfailing verdure. Ireland would then, indeed, absorb what would restore her emaciated form to health, reinforce her wasted energies, and soothe her into peace; and the youngest sister of the Union would become one of the fairest and best beloved of all the branches of the British family.

Sir, I make no apology for thus recalling to the House the subjects to which I previously alluded, nor for pressing them, again and again, on its most serious attention. On the contrary, I believe myself, while so doing, to be fulfilling, to the very letter, the royal recommendation, and taking into my consideration, as far as I am able, 'the whole condition of Ireland.' How far, I would ask any man in this House, has that admonition been observed? What inquiry has been yet heard of? None; and the information on which his majesty's government affects to form an opinion of the necessity of violating the constitution is most of it anonymous, or of very questionable authority; at all events, it is secret and unauthenticated, as it respects this House. In taking these views I would not, in relation to that unhappy portion of the empire, disappoint those expectations of general relief which must have been excited. I would not 'keep the word of promise to the ear, and break it to the sense.'

It was my intention, on this occasion, to have fortified the view I previously took of the real principle of the British Constitution, as demanding, and for the most important of all possible reasons, a moral qualification from those who have to make or administer our laws, by appeals to the highest authorities that have ever adorned this country. To present these to the House would, however, consume too much

of its time; and it is, moreover, rendered, I think, unnecessary by the feebleness with which that principle of our constitution has been attacked. I mean not the constitution as altered in 1828, nor yet as it is about to be further revolutionized in 1829, but the constitution of the 1st of William the third, preserved entire, at least as it regards England, till the last of George 3rd. What emotions does that venerated name kindle in our hearts, and especially on this important occasion! Some of these authorities, Sir, I have selected, and hold in my hand; but I will not now fatigue your attention by reading them, especially at so protracted a period of the discussion, however much my argument may suffer by the omission. I had meant also to have instituted a short contrast between the doctrines of Protestantism and Catholicism, as to their necessary effects on public morals, liberty, and happiness; subjects inseparably connected with a due consideration of the question before us. I will, however, only remark as to Popery, that the peculiar nature of its tenets is such as naturally to produce those melancholy effects, which have invariably accompanied it whenever dominant. Its exclusive and intolerant character, which dictated such atrocious cruelties when in the plenitude of its power, still remains; and which, however much repressed at present, or however interpreted, is still highly prejudicial to the best feelings and truest interests of society, by disrupting that bond of charity which ought to unite in mutual affection the whole christian community. Its ridiculous and mendacious miracles, including that standing one, transubstantiation ('damnable,' as to its consequences, whatever may be said as to its nature), disparage the proofs on which the truth of christianity itself is mainly founded, and prepare the way for that infidelity which invariably spreads wherever Romanism prevails. Its dogmas, touching indulgences, penances, auricular confession, absolution, &c., committing, as they apparently do, the jurisdiction of the Deity to ignorant and mercenary man, are hostile to morality. But, above all, its belief in the efficacy of masses for the dead appears to be most injurious; a notion which invests the priest with a power, in reference to the departed,—those who have 'shuffled off this mortal coil'—to arbitrate between the justice and mercy of the Eternal; making his attributes therefore matters of bargain

and sale; putting up as to an auction the mercy of the Almighty,—an auction at which the living may bid and barter for the remission of the sins of the dead; and consequently doing away as much as possible with the effect of a doctrine the most essential of all others to the well-being of society; which reason itself indicated, and which revelation was instituted to bring to light; the doctrine of future and irreversible rewards and punishments. A religion this, therefore, which not only drives a sordid trade with the sins of the living, but with the offences of the dead; to the constant peril, and often to the destruction of the primary principles of morality. Can any man, then, who believes in any religion whatsoever, except that, conceive it to be a proper ingredient in the Protestant Constitution of this empire? As to the political effects of Catholicism, these also I meant to have dwelt upon somewhat at large; they, however, as archbishop Tillotson has observed, are rendered sufficiently plain by a reference to the history of our country for a succession of generations. They may be yet more obvious ere long.

But, Sir, I understood his majesty's Solicitor-general to argue, in the very perspicuous speech he delivered this evening, in favour of throwing the Protestant religious establishment more entirely upon its naked merits, as the surest way of securing and extending its influence. At all events this is the great argument of many who profess a warm regard for Protestantism and its interests, and still advocate this measure; they assert that the restoration of Popery to power and influence is the surest way to injure its cause; and, on the contrary, that to divest Protestantism of its privileges is the best and most infallible method of serving it. I disbelieve both declarations, however fashionable they may be amongst certain theologians as well as politicians. Power, Sir, is the food on which Popery has lived; and could this have destroyed it, it would have been defunct many generations ago: while, on the other hand, Protestantism was first planted in this favoured land by the hand of government; and though I am sure that it enjoys the smile and approbation of Heaven, still the age of miracles having ceased, I am not enthusiastical enough to believe that Providence works without means and agents,

and I feel persuaded that of these the most powerful and efficient is that national protection, now, for the first time since its establishment, about to be withdrawn. All, however, that the Protestant church has done and suffered in behalf of the liberties and the monarchy of England—all that her implacable enemy has perpetrated against them—are alike to be obliterated. The meekness and tolerance of the one, the cruel insolence of the other, during their respective reigns, are to be forgotten. In the glorious amnesty about to be proclaimed, all principles of gratitude or justice are to be buried in a happy and everlasting oblivion. Hitherto the church has been the true spouse, the faithful helpmate of the State,—has followed all its fortunes; now it is proposed to admit into the domestic establishment its meretricious rival; and this, forsooth, under the assurance that the adulterous association will heal all quarrels, and produce uninterrupted peace. The proposition is folly as well as infamy. Its very absurdity heightens the insult, and aggravates the injury now meditated. No, Sir! rather than this, let that church go forth, and sit 'solitary as a widow,'—and, still surrounded by her faithful sons, await a happier day, and different treatment than she now experiences 'from those who, while they are divesting her of her rights, are still loading her with their compliments—who are betraying her with a kiss.

Nothing, Sir, in this measure appears to me satisfactory; and least of all the reasons which have been advanced for attempting it. A few anonymous letters relating to outrages which I could pledge myself to prove, if required, have existed ever since Ireland was connected with this country, and which would continue and increase after this unfortunate bill should have come into operation, are, I think, very insufficient grounds for such a course. If Mr. A. B.'s potatoe-garden could not be got in, in consequence of the inefficient protection extended to the Protestant population; it hardly amounts, I think, to a sufficient reason that the constitution of the empire, in the purchase of which our ancestors counted life itself as cheaply sacrificed, should be surrendered, in order to facilitate that event. But, Sir, let this bill pass—and tens of thousands, hundreds of thousands, of A. B.'s will find it impossible any longer to reap the harvests, or breathe the air of their native country,

The right hon. Secretary read the other evening a letter from some anonymous clergyman, who, if we knew his name, would be found ere long amongst those who are wise in their generation, stating something, I forget what—I however hold in my hand a statement, not anonymous, but subscribed by individuals distinguished by character, piety, and learning, men, who would give value to any document which they thus verified—from those, too, whose hostility to Popery, as Presbyterians, cannot be generated by feelings of bigoted attachment to a church to which they do not belong. I will not trouble the House, already so fatigued, with reading this just and earnest remonstrance. From this and other documents of unquestionable authenticity, which also I have here, but which from the lateness of the hour I shall not now read, I am prepared to prove that the people of Ireland are in large bodies making arrangements, at this moment, to expatriate themselves to foreign shores, and abandon for ever the home of their fathers. Nor do they hesitate to charge all their danger on the promoters of these inconsistent and mischievous measures; and to reproach them as the authors of their disasters, in having violated the very principle of incorporation and protection, on the faith of which their ancestors had been originally induced to settle in Ireland.

But, Sir, the singular character of this measure is this—its promoters themselves foresee the difficulties which will ultimately attend even their own policy. They, themselves, are fully aware that futurity is big with danger as to its final consequences; but still, with a political cowardice which has seldom been exemplified in the annals of our country (and which has always met its just recompense of punishment and shame whenever it has), it is proposed to transmit the momentary difficulties, which might be dissipated by dealing with them with a firm, but kind hand, to another day—to postpone the conflict to our children, whom we are at this moment disarming of their constitutional rights, and sending to the struggle which awaits them with a foe whose powers we are now thus increasing. We are surrendering the vantage ground—dispossessing them of the position in which our ancestors placed us in anticipation of this perpetual conflict with the enemy of our existing institutions.

What then is the apology for this strange

course, in which cowardice and apostacy are the avowed guides? It is expediency. Sir, I shall dwell a moment on this new dogma, which I already perceive is the alpha and omega of the modern school, and which I have been rebuked again and again for repudiating from the science of politics. I glory, Sir, in the rebuke, in the quarter from which it comes, in the cause on behalf of which it is given. Expediency, the arbiter as to the future religious character of our constitution!—Expediency, illumined by religion, and fortified by principle, is, indeed, a safe adviser; but what is it when it purposely divests itself of both? Expediency, then, Sir, is the ready apology of the practised intriguer; the excuse of the ambitious slave; the justification of the inexorable tyrant! In a word, the lip-defence of the most unprincipled policy, of the most heinous crimes that have ever disgraced or desolated the earth. And is this principle, Sir, to supplant, and in this hitherto Christian country, that safe, that necessary, that universal guide of human beings in the most exalted, as in the humblest walk of existence—the rule of right; a rule as inflexible as its Author, and which like all his ordinations, however shrouded for a moment by doubts and difficulties, will ultimately resolve itself into benevolence, justice, and truth?

But, Sir, it may be thought I am dogmatizing in morals, instead of addressing myself to policy, when thus speaking of expediency. I will therefore remove the argument in order to place it on the foundation of human experience. Sir, history opens at every page on instances, inscribed in the most appalling characters, of the just punishment which has ever awaited individuals, or bodies of men, or nations, following so selfish and tortuous a path. I will not speak, Sir, of the pecuniary injuries it has perpetrated, the individual spoliations of property, or the degradation of rank, it has occasioned; I will present a more general view of its effects on society at large. Take an instance or two. What, Sir, did this expediency do for France, when, at the commencement of a state of things, upon which I fear we are now entering ourselves, it was adopted as the rule of public men—when the benevolent Louis, after having established a free constitution in behalf of a beloved, but fickle and ungrateful people, was surrounded by a knot of expediency-mongers, who, whether sincere cowards, ambitious knaves, or

hypocritical traitors, advised the surrender of one principle and prerogative after another, till christianity itself was extinguished, and the taper of expediency glimmered in the moral darkness which then fell upon that desolated country; when all that was venerable or just was swept away, and the life of the monarch himself was the last sacrifice upon the altar of this expediency?

But an appeal to a neighbouring nation, whose past events, I fear, are already casting their dark shadows upon the pages of our own fate, and adumbrating the course we are infatuated enough to pursue may not be admitted, especially by the vindicators of its revolution. Let us then turn to the experience of our own country, and see the inevitable consequences of following, in the hour of real difficulty, such a guide. Let, Sir, the appropriate appeal be to the previous downfall of your own church and monarchy. It was at that period that this very House thought it expedient to mark out a noble victim, not indeed either as a human being or a patriot perhaps without his failings, but who bore towards his king and country a faithful and a loving heart—I mean the great Strafford—whose noble descendant* I regret to see opposed to me on this occasion, and whose rebuke, touching this very expediency, I have received,—it was expedient, Sir, that he should be sent to his trial—it was expedient that those by whom he was tried should pronounce him guilty; lastly, it was expedient that his sovereign should sign the warrant that surrendered the most faithful of his adherents to death, to calm and tranquillize, as it was then pretended, the public mind; all animosities, it was promised, should be buried in the grave of the victim, over which a long and perpetual friendship between sovereign and subject was to be compacted and proclaimed. All this was promised, and by ‘large and triumphant majorities.’ How well that assurance was justified by the result, all who hear me know;—how far the grave of the murdered minister was apart from the grave of the murdered monarch! The *dénouement* of this tragedy, of which expediency was again the prompter throughout, was exhibited in the front of that edifice which I see you are now repairing. Expediency destroyed the church—murdered the king!

* Lord Milton.

But where might we end these appeals? One more shall be made; and as the matter and cause at issue are, in spite of all assertions to the contrary, plainly sacred, a most appropriate one. It was when a temporising minister of an ancient people was anticipating the difficulties of their situation, and making, in his day, his 'choice of evils,' and appealing to the dangers to be apprehended from the interference of foreign power, as do the advocates of the present measure, that he determined an unexampled act was to be perpetrated, 'lest the Romans should come and take away their place and nation.' 'It is expedient,' said he, 'that this man should perish!—that this sacrifice should be made!' Sir, the present occasion is only less important than that. Protestant Ascendancy is now the victim—Expediency still the priest. That sacred principle for which our fathers struggled so doubtfully and long, and which they deemed cheaply purchased at the expense of life,—peace and immortal glory rest upon their memory! that principle which has planted liberty, civil as well as religious, of the press as well as of conscience, in this happy country, and which has watered the sacred plant so profusely with its best blood; which has diffused its lights abroad till it has rendered this country the preceptor of mankind; which has nerved its arm and manned its heart in the hour of danger, and constituted it the champion as well as the exemplar of freedom—that principle which has fostered the learning, liberated the genius, warmed the charities, purified the morals of this great Protestant nation; I say this sacred principle, the noblest, as the great Chatham exclaimed, for which ever monarch drew his sword, or subject shed his blood, is about to be surrendered from a cowardly apprehension of dangers, which, however, the advocates of this measure do not pretend that it will dissipate, but only change,—not remove, but, perhaps, postpone. It is about to be surrendered to expediency! In a choice of evils, it is asserted that this 'breaking in upon the constitution' would be the lesser one.

Sir, the measure ought not thus to be presented; it is a choice of evil in preference to good. Banish, Sir, this crooked policy, this disgraceful guide, and the choice will be good; present and permanent good. In the ancient path in which your ancestors so nobly trod, there may indeed

be difficulties interposed, obstacles to be overcome, as in the path of duty and of glory there ever have been; but meet them nobly, they will but heighten your achievement, and increase its reward. Preserve your constitution; defend your establishments; become the true friend, the real benefactor of Ireland; succour and save her by safer, kinder, surer methods than those now proposed; and your patriotic efforts will have the approbation of your own consciences, the gratitude of your country, and the applauses of posterity.

I must beg leave to offer another argument, and, as I have hitherto done regarding the preceding ones, I will, as much as possible, condense it. If there be one question which, beyond all others, ought to be removed from the consideration of expediency, it is this which concerns the religious feelings and privileges of the people. I ventured, on a previous occasion, to declare that no Parliament, constituted as the present is, has a right to rob the people of England of the Protestant constitution. I repeat that assertion. We are convoked by our sovereign, we are sent by our constituents, for no such purpose. We are interdicted by the solemn oaths we have taken at that table from pursuing such a course. We have abjured it. I know that I have been rebuked, and by a legal authority, for denying the omnipotence of Parliament; but I persist in denying it. Majorities, Sir, cannot render that true which is evidently false—just, which is manifestly otherwise. I appeal to the literary father of English liberty on this point,—Locke,—whose reasonings, in the conclusion of his celebrated treatise on government, are manifestly with me. I appeal to a greater than Locke; one whose warm patriotism, inflexible honesty, inviolate honour, have never been exceeded, rarely equalled—one whose wisdom, genius, eloquence, have never been approached—I mean the immortal Chatham. His name, Sir, it may be hoped, even in these days of mutual appeal, of reciprocal compliment, of unprincipled concession, of coaxing oratory, will still have some weight here, as it has every where else. His judgment is recorded on this solemn question. Upon the Quebec Bill, as it is called,—affecting, therefore, only a distant colony of the Crown, one recently annexed to the British dominions, and almost exclusively

peopled by Roman Catholics,—still this was his deliberate judgment, in regard to the admission of Popery to power. Even then, he said, ‘this Act of the 1st of Elizabeth,’ as relating to the Oath of Supremacy, and substituting a common oath of allegiance in its place—‘this Act of Elizabeth had always been looked upon as one that the legislature had no more right to repeal than the Great Charter or the Bill of Rights.’ He deduced the whole series of laws, from the supremacy, first re-vindicated under Henry 8th, down to this day, as fundamentals, constituting a clear compact that all establishments by law are to be Protestant; which compact, he averred, ought not to be altered, but by consent of the collective body of the people. He further maintained that the dangerous innovations of that bill were at variance with all the safeguards and barriers against the return of popery and of popish influence, so wisely provided against by all the oaths of office and of trust, from the constable up to the members of both Houses, and even to the sovereign in his Coronation Oath, and concluded by pathetically expressing his fears that it might shake the affections of his majesty’s Protestant subjects in England and Ireland.

Such was the judgment of this great statesman concerning the admission of popery to power, even in the wilds of North America. But, Sir, how fervid would have been his indignation, how irresistible his eloquence, had he witnessed the attempt to introduce it into the very heart of the empire? Happy would it have been for England if she had ever listened to her Chatham: happy will it still be for her if his voice, which I have awoke, as it were, from the slumbers of his immortality, might now be listened to! But the authority of Chatham will of course, like all other authorities at the present time, be ‘cast to the moles and to the bats.’ [A cry of ‘Question,’ from one or two members.] Sir, after having received the almost unanimous call of the House to proceed, and having, as must be evident, very much curtailed my arguments, I really think I am unfairly dealt with in being thus interrupted. I am willing to admit that I argue the question with warmth,—perhaps with more of my heart in it than of my understanding,—still, as this is the last opportunity I may have of speaking on the subject, I beg

that for a few moments I may not be again interrupted.

I shall only urge one more argument against the measure; it is composed both of expediency and right. When appealed to heretofore, it has always been considered irresistible, and, when not listened to, troublesome and dangerous consequences have often ensued. The argument I now appeal to is founded on the voice of the people. Mr. Pitt declared, over and over again, that, against that voice, the measure ought never to be attempted. Mr. Canning very recently asserted, that the mass of the people of England were opposed to it,—I think the right hon. gentleman’s exact phrase was ‘the inert mass.’ Sir, on this question the people are no longer inert. If they were previously so, it was because they reposed confidence in the declarations, assertions, and, if I may make use of a word so obsolete as to be now without a known meaning, the principles of ministers,—the principles of ministers. The distrust, however, of the people of England is now fully awakened; their fears are roused; hence the anxious and indecent haste in the passing of this bill—that their voice may be stifled and intercepted. The measure is hurried through the House, as I understand from many hon. members, long practised in the usages of Parliament, with a haste totally unprecedented. The people are not to be trusted with its consideration even, till after the conclusion of the ensuing Christian holidays. It must be passed through the legislature, we are told, before Easter. The people of England, at least the petitioning part of them,—those whom only the most momentous occasions would draw forth, who therefore represent the opinions, and embody the strength and resolution, of the community,—these, Sir, are at your bar. How are they to be treated? On not a remote, but unhappy occasion, when your sovereign was seeking redress from a grievance insufferable to any private gentleman in England, then, Sir, a mere handful of petitioners, compared with those who stand forth at this solemn conjuncture, were to be listened to. Such was the doctrine of many who were then heaping on our gracious Sovereign the coarsest and most malignant invectives, but who are now sudden converts to a warm, wordy, but suspicious loyalty; a change, which amongst all the strange

conversions that have marked the present period will, if it endure, be the most miraculous. Till the present occasion, these, Sir, to answer their political purposes, represented the people of Great Britain as an intellectual and intelligent people, amongst whom 'the march of mind,' to use their own favourite phrase, was making incredibly rapid strides; now, however, it is found convenient to represent them as an ignorant and besotted mob. Hence the treatment which as petitioners they now experience! Why, Sir, it has not been enough to refuse and plead against their earnest prayer. Their information is denied—their motives are calumniated—their numbers disregarded; they are represented as inspired by religious bigotry and intolerance,—feelings which those who make the charge know do not disgrace this great Protestant community,—as being under the influence of an order which their accusers are aware has not the power, even had it the will, to dominate over public opinion; an order, nevertheless, to whose loyalty, learning, and piety, the monarchy and people of England are under immeasurable obligation, but which has been subjected to a series of insidious comparisons and studied insults in this House, which have met with but very slight ministerial reproof—I mean, Sir, the Protestant Clergy of the empire. Sir, the people of England want no incentives to come forward in defence of the altar and the throne, the cause of their fathers and of their God.

Sir, the abettors of this measure say triumphantly that the bill will pass; the triumph is over their former selves, as well as over their present countrymen. But, Sir, whatever be the result, we will contend to the last. In this moral battle we stand at the Thermopylæ of Protestantism, secure of immortality even in the article of defeat; nor would it be defeat, but that some recreant Mælian leads the enemies of the institutions of his country through secret passes to this melancholy and disgraceful triumph. Exult, then, over the still faithful band who remain true to their principles and professions! Boast in your majority! Carry up your Bill to the other branch of the legislature as in a triumphal procession! Tell us of the honours and the wealth you muster in its train—a train disgracefully swelled by the baser expectants of wealth and honours! These, Sir, may be there. But I tell you who

will not, Sir. The people of England will not be there! They will not assist you to carry up this nefarious Bill; they stand aloof; despised and insulted, they pursue it through every stage of its progress with curses not loud but deep—but with curses that may still deepen and wax louder, till they break forth in thunders, as they once did on a like occasion, when they shook the very pillars and foundation of the throne. This Bill you will take up; but it will be received by a noble race, which have hitherto sent their heroes to the defence of the cause of England; and by a sacred order, who have meekly gone to prison and to death for it. We fix our hopes on them; but even they, Sir, are not our last hope. We trust in our Monarch and our God!

Sir, I have done. I am aware my feeble voice can have no influence. I am told none would, however powerful, against the phalanx united in hostility to the Protestant cause. Cemented and influenced as that phalanx is, reason, entreaty, remonstrance, are urged in vain. All I can do is done. I have laid this offering upon the altar of my country, humble as it is. My life should be added, could the sacrifice be availing!—A feeling which I partake with millions!

Mr. *Vesey Fitzgerald* said:—Sir, every member must be naturally impatient to close this debate—I, at least, have no desire to prolong it. At this late hour, exhausted as the House must be, exhausted as the subject is also, the observations which I have to make shall be few indeed: they are called for by some topics on which the hon. gentleman who has just sat down has been pleased to expatiate, in that second speech of his, in which he describes himself as laying on the altar of his country. Of argument, indeed, there is not much in what the hon. gentleman has delivered to reply to; and even of that little no part has been addressed to the principle or the details of the bill. To the principle, indeed, he repeats his objections, which, he says, are to its unconstitutional character. He scorns to particularize or to prove them—nay, Sir, while he contends that the bill will have for its result the creation of Catholic influence and of Catholic ascendancy, that, instead of allaying it must enflame the hostility between rival creeds, the hon. gentleman has, not very consistently, assured us,

that, in establishing a principle of indifference to the public profession of religion, it must generate a contempt for Christianity itself. In lieu of argument, however, the hon. gentleman has given us for the second time, his lucubrations on the state of Ireland, and has adverted to those specifics which he would recommend for her relief. He has not been content with repeating himself, but has also favoured us with a long quotation from a speech of lord Chatham, given to the House with not less effect, or with less solemnity, in the beginning of the night, by the learned representative of the city of Dublin.

Sir, if I follow not the hon. gentleman into a debate on the Quebec bill, it is because I will keep my word. I have not the same notion of succinctness or of brevity with the hon. gentleman, who might have spared his long extract, which had been already quoted on the same evening by another member. This, however, I must say, that the predictions of lord Chatham, and those terrors which were entertained when the Catholic religion was partially established in Canada, may teach us what the result of exaggerated fears may be, since we do not find that the evils have been so frightful from permitting the king's Canadian subjects to profess the religion of their fathers, though lord Chatham so pathetically expressed his fears that it might shake the affections of his majesty's Protestant subjects in England and Ireland.

I have not the presumption, Sir, to suppose, that after continued debates, I can urge any new arguments, or are called upon to urge them, in support of the bill. There have been statements of historical facts—changes on the conduct of public men, which at an earlier hour, I should not leave unnoticed—but, of the hon. gentleman's allusions to past times, and to the crimes which have been committed, on which England must look back with regret and sorrow, which of them have been justified by any analogy or connexion with the subject before us, unless he would impute them to the Catholic faith? I remember, indeed, that a noble lord, distinguished for his opposition to the Catholics, addressed a Letter lately to the Protestants of England, reminding them that it was dated on the anniversary of king Charles's marty-

dom. Sir, the noble lord, and others, must presume upon Protestant ignorance, if they would connect the sin of the regicides, with those who, in Ireland particularly, were faithful to the Throne. Such allusions might have been more applicable to a debate of last year, on the repeal of the Test and Corporation acts, though, even then, they would not have told for much. Still more, Sir, do I deem it extraordinary, to refer to the Revolution of France. The hon. member repeats his conviction, that his efforts against the bill are unavailing, but that he takes this mode of recording his opposition to it. If, I ask, this be his sole object, why refer to subjects so calculated to add to the existing excitement, to that very excitement to which the hon. gentleman alludes, and, as I think, not altogether without satisfaction? In what place, Sir, out of this House, is it intended that these allusions should produce their effect?

The hon. gentleman tells us, that we introduce a new dogma of government—that our apology is expediency—that expediency which he repudiates from the science of politics. Sir, I offer no apology for our course—I deny that it is vindicated upon these grounds; or that that which is the cause of justice—which is called for by a regard to the public safety, requires to be justified by the argument of a temporary expediency.—Yet I will vindicate against the hon. gentleman, that calumniated principle. He has told us that expediency ought not to be separated from morals—in that I agree with him; but when he calls it the defence of an unprincipled policy, the ready apology of the worst crimes that have ever disgraced the earth, I would ask him, whether there have been any crimes committed, however heinous, which have not, at one time or other, been palliated by the distortion of the sacred Word of God? I would ask him, whether there have been any which have not been cloaked by the plausible profession of religion?—whether the appeal to holy institutions, and to principles the most sacred, may not be a ready apology of an ambitious slave, or the pretext of an unprincipled oppressor?—I will agree with him that expediency, separated from true morality, in conflict with public duty, or private morals, is criminal; no man, however, who has argued this measure on a principle of expediency, has rested his defence of it on expediency of

that nature.—But I will meet him there also. If he complains that Catholics are to be now admitted to the enjoyment of civil rights on that principle, I ask him on what principle but a principle of expediency was it that the Catholics were excluded? I call on the hon. gentleman to read the act of Exclusion from its preamble to its end, and to tell me if it was not on the ground of expediency, and of expediency alone, that the exclusion of the Catholics was rested. The principle of the constitution does not require—it never did require—communion in religion, on the part of those who were to enjoy civil franchise, or to exercise political power. That act, which rests upon expediency as its ground and its principle, only negatively excludes the Catholic from the enjoyment of civil office. Again he tells us in no very measured tone, that this cause (the hon. gentleman's view of the question, observe!) is taken up by the people of England, as the cause of their religion—the cause of their fathers, and of their God! Sir, I protest against this language of the hon. gentleman; and here, at least, I shall follow, not his precept, but his example; for I shall not either spare or limit the observations which such an assumption provokes. I respect the abilities of the hon. gentleman, but I deny that he, and those that support, or who cheered him, are exclusively prepared to fight (as they presume to arrogate that they are) the battle of the Church, and of the constitution of the country. I deny that I stand not here, as deeply, as firmly, as conscientiously attached to the Church establishment as he, or any around him. It is for the sake of the Church, though not for that alone, that I support this great measure. It is for the sake of the Irish Protestants, and because I believe that greater danger would ensue to the Protestant Church, and to the Protestant establishment in Ireland, by withholding it. It is not I, but the hon. gentlemen, who confound the Protestant religion, with a Protestant ascendancy. That ascendancy, as far as the maintenance of its establishment, I am ready as he can be to defend. But, by taking away a political ascendancy from the Protestant—by raising the Catholic from his inferiority in the State—am I giving any power which will enable the Catholics to destroy the Protestant Church? On the contrary, I say, that they now wield a

power which they may effectually exercise for its extinction. It is to destroy this power—it is to unite Protestant and Catholic—it is, above all, to unite the Protestants themselves—it is, that we may have a united government, and a parliament unanimous—that I contend for the bill. I deny, then, any man's right to take to himself the exclusive merit of defending the English Church, or to say that his, more than ours, is the cause of our religion—of our forefathers—of our God! If the religion of the hon. gentleman is of such a nature, that it would exclude others, not because they are dangerous, but because they hold some differences of faith;—if such be the hon. gentleman's creed, I will say to him, as has been said on another occasion, and in another place—'Your religion is not my religion—nor shall your God be my God.'

Sir, it has been contended in this House, by the hon. gentleman—the last entered member amongst us—that we have no right to pass this act—that parliament has no right to entertain it without an appeal first made to the sense of the people; and to-night he repeats that assertion. I am yet to learn how the dissolution of this parliament, or the election of another, can make that just, which is said to be unconstitutional. But, in what book, Sir, have these gentlemen read the history of the constitution? Where do we find those limits and definitions by which they would restrict the powers of parliament? They know, that measures great as this—important as it is—have been passed without any such appeal. I allude, not merely to the Septennial Act, by which this House prolonged its own representative existence without any appeal to the people. Was either parliament dissolved on the Union of Scotland and of Great Britain, that compact to which hon. gentlemen refer, as a treaty never to be touched? Was either parliament dissolved when the Union took place with Ireland, when the Act took effect which incorporated the Irish legislature with yours, which admitted its members amongst you, without a new election—when that act was passed, in right of which alone, let me remind him, has the hon. member for Newark a right to give a vote affecting the people of Ireland—in right of which alone, does he legislate for my country,—when he, uncon-

nected with us, but by the Act of Union, opposes a measure affecting our laws, our constitution, our society—on which the majority of the representatives of Ireland are united beyond all former precedent—that majority which would constitute our exclusive legislature, if the Acts of Union had not also given us the hon. gentleman and his coadjutors to dictate to us our course?

I am reminded by my right hon. friend near me, of another circumstance still more remarkable: it is the occasion when the Catholics of Ireland were first excluded from the legislature of their country. It is in that act of William, “of glorious memory,” whose name, like those of Spencer, and sir John Davis, is to be unjustly pressed into the ranks of intolerance. Sir, if there was one thing more than another that could add to the glory of the character of William, and which crowned his victory—a victory, which, if it made not a man intolerant, might have afforded him some excuse for being so—it was this—that he was the first to set the example, and to inculcate the precept, of full toleration. The Prince who accomplished the Revolution of 1688 was not of the school of those who profane his name. But I return to the time when the Irish Catholic was first excluded. What! Was parliament dissolved? Did the government appeal to the people? Were the people of Ireland—were even the Protestants called upon to elect a new parliament to enact this exclusion? No! the Irish Catholics were first excluded by you from their native parliament, without reference to the people of Ireland, for whom you assumed to legislate at the time.

Sir, there are other points, on the discussion of which, if it were somewhat earlier, I might wish to enter—points to which the hon. gentleman has, doubtless, given great attention, and argued with great ability, in publications not before the House; but I am warned to refrain from entering upon such topics, by the disposition which has been generally manifested to terminate this debate. I would, however, with all deference, ask the hon. gentleman, whether he can look for the accomplishment of these great works of improvement which he has recommended,—whether he can hope for their being dispassionately and deliberately discussed,—whether there is a chance, a possibility of this, while the greater question remains

in its present position,—while the parliament—while the country—while the two nations are distracted by it—while this House is divided in hostile array by its consideration? Does it not occur to him, that the first step towards any great improvement—above all, towards any measure of relief for the population of Ireland—does it not occur to him that the first advance towards a cure of these evils under which we suffer, must be a restoration of that spirit in the country—of that peace which will give encouragement to industry, security to capital, and some chance of internal tranquillity. This is no “sentimental emancipation,” as the hon. member for Newark has been pleased to term it, but simple and efficacious, and in the spirit of charity not inferior to any of those subsidiary prescriptions which the hon. gentleman recommends.

One word more, Sir, and I have done. The hon. gentleman, in reflecting on those who have accomplished this measure—(for may we not hope that it is accomplished? May we not hope that a bill carried through this House, up to this point by such a majority, goes from us under auspices which give us assurance of success?)—in reflecting, I say, on those to whom he has been opposed, he has asserted that he, and those who have acted with him, have secured their immortality. When this question is remembered in after time, doubtless all those who have shared in these discussions, must be remembered in connection with it. But does he believe that those who have given their successful support to this Bill, who have contributed to the triumph of a great cause—those who will receive the congratulations of a people—and the gratitude of Ireland, for having restored that nation to happiness and to peace—does he imagine, that they will, in the halo of his immortality be obscured—shrouded—forgotten? Of my right hon. friend beside me, I will not, in his presence, utter all that my heart and feelings dictate—but I declare, in the presence of my country and my God, that I think that the people of this kingdom and of Ireland owe more to him, and to the illustrious duke at the head of the king’s councils, than was ever before due from a people to ministers of the Crown. Millions of grateful hearts will reiterate this acknowledgement—and not of Catholics alone.

I trust that I may congratulate the House, and my own country above all, on one common feeling of satisfaction. I am convinced that the news of what has passed here will be received with respect by all. I know, and I say it advisedly, that a great portion of those most opposed to concession in Ireland, now feel that it has become inevitable. They, too, wish for settlement—they are satisfied with the securities offered to them—they do not deem them those “substantial shadows” of security which have been alluded to this night. I do hope and believe, that, while the Catholic accepts with becoming gratitude, and without unbecoming exultation, the great concession which the Protestant has made, both Catholic and Protestant may be, by our acts, united in one feeling and in one common cause—that of their common country.

Mr. *Trant* contended, that the present was a religious question, and on that ground he opposed the bill, believing, as he firmly did, that its effect would be highly injurious to the Protestant religion and Protestant establishments of the country. He looked upon the whole measure as part of a perpetual popish plot against the Protestant establishments of the country. He had heard a good deal of the union, which it was said this measure would produce, and had already produced in Ireland; and in particular of the cordial meeting and shaking of hands of Catholics and Quakers in the streets of Clonmel on the subject; but he had lately seen a Clonmel paper which expressed its astonishment at such an assertion.

Sir *J. Yorke* said: Mr. Speaker, I hope I may conclude the discussion on this bill with a parliamentary toast—“May the sister kingdoms be united, and may they live hereafter together like two brothers.”

The House divided; for the third reading, 320. Against it, 142. Majority 178. The bill was accordingly read a third time.

List of the Majority, and also of the Minority.

MAJORITY.

Abercromby, rt. hon. J. Anson, hon. G.
Acland, sir T. D. Apsley, lord
Alexander, James Arbuthnot, rt. hon. C.
Althorp, lord Arbuthnot, hon. col.
Anon, sir G. ; Arcedeckne, A.

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Barclay, C.
Barclay, D.
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Baring, F.
Beaumont, T. W.
Beective, earl
Benett, John
Bentinck, lord G.
Beresford, sir J.
Beresford, lieut. col.
Bernard, T.
Bingham, lord
Birch, Joseph.
Blake, sir F.
Boyle, hon. J.
Bourne, rt. hon. W. S.
Brecknock, earl of
Brogden, J.
Brougham, J.
Browne, J.
Browne, C.
Bruen, col.
Buller, C.
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Buxton, T. F.
Burrard, G.
Byng, George
Calcraft, rt. hon. J.
Calthorpe, hon. F.
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Calvert, J.
Calvert, N.
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Campbell, Walter
Campbell, John
Carew, R.
Carrington, sir C.
Cartwright, W.
Castlereagh, viscount
Caulfield, hon. H.
Cave, R. O.
Cavendish, lord G.
Cavehish, C.
Chichester, A.
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Clements, viscount
Clifton, lord
Clive, viscount
Clive, hon. Robt.
Clive, E.
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Cocks, J.
Colborne, N. Ridley
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Cooke, sir H.
Coote, sir C.
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Crompton, S.
Daly, J.
Dawson, A.
Denison, W. J.
Denison, John
Doherty, John
Douglas, W. R. K.
Drummond, H. H.
Ducane, Peter
Darlington, earl of
Duncannon, viscount
Duncombe, T. S.
Dundas, hon. G.
Dundas, hon. R.
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Eastnor, viscount
Ebrington, viscount
Eden, hon. rt.
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Ellis, hon. G. A.
Ellis, hon. A.
Ellison, Cuthbert
Ennismore viscount
Ewart, W.
Fane, hon. H.
Fane, I. T.
Farquhar, sir R.
Fazakerly, J. N.
Fergusson, sir R. C.
Fergusson, R. C.
Fitzgerald, rt. hon. M.
Fitzgerald, lord W.
Fitzgerald, rt. hon. V.
Fitzgerald, John
Fitzgibbon, hon. R.
Foley, John H. H.
Forbes, viscount
Forbes, sir C.
Forbes, J.
Fortescue, hon. G.
Foster, J. L.
Frankland, R.
Fremantle, sir T.
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Gilbert, D. G.
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Goulburn, rt. hon. H.
Gower, lord F. L.
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Gordon, sir W.
Guest, J.
Guise, sir B. W.
Gurney, Hudson
Hardinge, sir H.
Hay, lord John
Hay, Adam
Heathcote, sir G.
Herries, J. C.
Hill, lord A.
Hill, sir G.
Hobhouse, J. C.

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Hodgson, F.
Horton, R. W.
Howard, Henry
Hughes, W. L.
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Hume, J.
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Huskinson, rt. hon. W.
Hutchinson, John
Hutchinson, J. H.
Howard, hon. G.
Ingilby, sir R.
Innes, sir H.
Jephson, C. D. O.
Jermyn, earl of
Jolliffe, col.
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Kennedy, T. F.
King, hon. R.
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Knox, hon. T.
Labouchere, H.
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Latouche, Robert
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Lennard, T. B.
Leycester, R.
Lewis, rt. hon. T. F.
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Maberly, lieut. col.
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Maitland, hon. capt.
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Marshall, Wm.
Martin, sir T. B.
Martin, John
Maule, hon. W.
Maxwell, John
Milbanke, M.
Mildmay, P. St. John
Milton, viscount
Monck, John
Morison, John
Morland, sir S. B.
Morpeth, viscount
Mostyn, sir T.
Mountcharles, earl of
Murray, sir G.
Northcote, H.
Nugent, lord
Nugent, sir G.
North, John
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O'Brien L.
Ord, W.
Owen, sir John
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Pendarves, Ed.
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Phillips, sir G.
Phillimore, Dr.
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Ponsonby, hon. F.
Ponsonby, hon. G.
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Poyntz, W. S.
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Stuart, H. V.
Sykes, D.
Sugden, E. B.
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Talmash, hon. Lionel
Taylor, M. A.
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Thompson, P. B.
Thomson, C. P.
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Thynne, lord H.
Tierney, right hon. G.
Tindal, sir N.
Tomes, John
Townshend, hon. J.
Trench, colonel
Tufton, hon. H.
Tunno, Edward
Twiss, Horace
Valletort, lord
Van Homrigh, Peter
Vernon, G. G. V.
Villiers, T. H.
Waithman, Robert
Wall, C. B.
Walpole, hon. C.
Warburton, H.
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Webb, Ed.
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Heron, sir R.
Howick, lord
Sefton, earl of
Somerset, lord R.
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Dundas, rt. hon. W.
Bouverie, hon. B.
Owen, H.
Stewart, John
Davenport, E.
Smith, hon. R.
Davies, col.
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Antrobus, G. C.
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Batley, C.
Beckett, sir John
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Bell, M.
Blandford, marquis of
Borradaile, R.
Bradshaw, capt.
Bright, Henry
Brydges, sir J.
Buck, L. W.
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Curteis, Ed.
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Cust, E.
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 Wigram, Wm.
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 Whitmore, T.
 Smith, S.
 Walrond, B.
 Houldsworth, T.
 Harvey, sir E.
 Lowther, sir J.
 Handcock, R.
 Duncombe, hon. W.

Colonel *Trench* then offered the following clause—"that no Christian pastor do prohibit the use of the Holy Scriptures, under pain of misdemeanor."—The motion was negatived.

Colonel *Sibthorp* then offered the following clause—"that no Roman Catholic member of a corporation do vote in the disposal of funds for charitable purposes."

Mr. *Peel* observed, that the amendment was unnecessary, as all the parties who were objects of such schools or foundations must be Protestants.

The House divided: For the amendment 17. Against it 233. Majority 216. The Bill was then passed. The Qualification of Freeholders (Ireland) Bill was next, on the motion of Mr. Secretary Peel, read a third time and passed: and, at a quarter before four o'clock in the morning the House adjourned.

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